Guidance for Implementing
the Base Closure Community Assistance Act of 1993 and
the Base Closure Community Redevelopment and Homeless Assistance Act of 1994
FOREWORD

This Manual is reissued under the authority of DoD Directive 4165.66, “Revitalizing Base Closure Communities and Community Assistance,” February 12, 1996. It contains guidance as to the Department’s implementation of “Revitalizing Base Closure Communities and Community Assistance” (32 CFR Parts 174, 175, and 176) by providing greater detail about the issues addressed in them. DoD 41 65.66-M, “Base Reuse Implementation Manual,” July 1995, is hereby canceled.

This Manual applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as the “DoD Components”). The guidance provided is effective immediately and is mandatory for use by all the DoD Components.

This Manual was developed and updated by a working group made up of representatives from both OSD and the Military Departments. The goal of the working group was to create a document that could be used Department-wide without additional “Component-specific” instructions. As a result, the Heads of the DoD Components may only issue supplementary instructions, when necessary, to provide for unique requirements within their organizations that are not addressed in this Manual. All supplementary instructions must be approved by the Deputy Under Secretary of Defense (Industrial Affairs and Installations).

Please send your comments and suggestions on ways we can improve this Manual in later printings to: Base Closure and Community Reinvestment Office
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Arlington, VA 22202
E-mail address: base_reuse@acq.osd.mil


It is my sincere hope that this Manual will make the base reuse process better by providing the Service implementors with common guidance that is flexible enough for site-specific solutions.

John B. Goodman
Deputy Under Secretary
(Industrial Affairs and Installations)
Table of Contents

Acronyms, Abbreviations and Definitions vii

1 Introduction 1-1
   1.1 Purpose 1-1
   1.2 Philosophy and Goals 1-1
   1.3 History 1-3
   1.4 Manual Contents 1-6
   1.5 Availability Online 1-7
   1.6 Updates 1-7

2 Base Reuse Process Overview 2-1
   2.1 Phase One: Base-Wide Reuse Planning 2-4
      2.1.1 Comprehensive land-use and redevelopment planning 2-6
      2.1.2 Environmental impact and other impact analyses 2-6
      2.1.3 The BRAC Environmental Process 2-9
      2.1.4 Installation management 2-11
   2.2 Phase Two: Disposal Decision Making 2-12
   2.3 Phase Three: Parcel-by-Parcel Decision Implementation 2-12
      2.3.1 Asbestos containing materials 2-14
      2.3.2 Institutional controls 2-15

3 Identifying Interests in Real Property and Reuse Planning 3-1
   3.1 Introduction 3-1
      3.1.1 Philosophy and goal 3-1
      3.1.2 A New Reuse Planning Process---General practice for BRAC 95 3-2
   3.2 Identifying, DOD and Federal Property Needs 3-5
      3.2.1 Issuing notices of availability 3-5
      3.2.2 Receiving and evaluating requests for property 3-8
      3.2.3 Making final determinations 3-10
   3.3 Identifying Interests in Surplus Property 3-11
      3.3.1 Publicizing the availability of property 3-11
      3.3.2 Soliciting notices of interest 3-11
      3.3.3 Information required in a notice of interest 3-13
   3.4 Preparing the Redevelopment Plan and Accommodating Homeless Assistance Needs 3-14
      3.4.1 Considering and accommodating notices of interest 3-14
      3.4.2 Contents of the redevelopment plan 3-15
5.2 LEASING GUIDANCE
5.2.1 General guidance .............................................................. 5-6
5.2.2 Interim leasing guidance ...................................................... 5-6
5.2.3 Guidance for leasing in furtherance of conveyance ............... 5-11
5.2.4 Environmental/related guidance ......................................... 5-13

5.3 APPLYING FOR AN INTERIM LEASE
5.3.1 Expression of interest ......................................................... 5-14
5.3.2 Initial meeting/application package ....................................... 5-15

6 Maintenance, Utilities, and Services ........................................ 6-1

6.1 INTRODUCTION ........................................................................ 6-1
6.1.1 Philosophy and goal ............................................................ 6-1
6.1.2 General practice ................................................................. 6-2

6.2 ESTABLISHING INITIAL MAINTENANCE LEVELS IN CONSULTATION WITH THE LRA .............................................................. 6-3
6.2.1 Determining initial maintenance levels .................................. 6-3
6.2.2 Maintenance levels at BRAC installations .......................... 6-4
6.2.3 Maintenance periods ......................................................... 6-4
6.2.4 Disagreements .................................................................... 6-6

6.3 FACILITY MAINTENANCE AND COMMON SERVICES .............. 6-6
6.3.1 Maintenance providers ........................................................ 6-6
6.3.2 Maintenance activities ......................................................... 6-7
6.3.3 Activities not considered maintenance ............................... 6-8
6.3.4 Common services .............................................................. 6-8

6.4 EQUIPMENT AND PERSONAL PROPERTY MAINTENANCE ........ 6-8

6.5 UTILITY SYSTEM MAINTENANCE, OPERATION, AND DISPOSAL 6-10
6.5.1 DoD policy guidance ........................................................... 6-10
6.5.2 Time periods for military operation of utilities ................. 6-11
6.5.3 Disposal authorities for utility systems .............................. 6-11

7 Economic Development Conveyances ........................................ 7-1

7.1 INTRODUCTION ........................................................................ 7-1
7.1.1 A new authority: an additional tool for communities .......... 7-1
7.1.2 Philosophy behind an EDC—Keys to success ................... 7-1
7.1.3 Definition of an EDC ........................................................... 7-2
7.1.4 Appropriate uses of an EDC ............................................... 7-2
7.1.5 Eligible EDC recipients ....................................................... 7-3

7.2 APPLICATION PROCEDURES .................................................. 7-3
7.2.1 Timing of the EDC application ........................................... 7-4
7.2.2 Amount of property included in an EDC ......................... 7-4
7.2.3 Contents of the application .................................................. 7-4
7.2.4 Valuation ............................................................................ 7-7

7.3 APPLICATION REVIEW AND APPROVAL ............................... 7-9
7.3.1 Authority to approve an application ................................. 7-9
7.3.2 Criteria used to evaluate an application ......................... 7-10
7.3.3 Approach for application review ........................................ 7-11

7.4 CONSIDERATION ............................................................... 7-11
7.4.1 Guidelines for determining terms and conditions ............ 7-11

December 1997
Table of Contents

7.4.2 Justification for discount ................................................................. 7-12
7.4.3 Rural bases ..................................................................................... 7-13
7.4.4 Financing ......................................................................................... 7-13

7.5 CASE STUDIES OF TWO SUCCESSFUL EDCS ................................. 7-15
7.5.1 Sacramento Army Depot ................................................................. 7-15
7.5.2 Norton Air Force Base .................................................................... 7-16

8 Leasebacks ......................................................................................... 8-1

8.1 INTRODUCTION .................................................................................. 8-1
8.1.1 Legislative History ......................................................................... 8-1
8.1.2 A new conveyance method—LRA property ownership while meeting Federal needs ................................. 8-2
8.1.3 Appropriate uses of a leaseback ...................................................... 8-2
8.1.4 Other options to satisfy Federal property needs ......................... 8-2
8.1.5 Eligible leaseback recipient ............................................................ 8-3

8.2 DETERMINING POSSIBLE LEASEBACK TRANSFERS ...................... 8-3
8.2.1 Step 1 - Federal screening .............................................................. 8-3
8.2.2 Step 2: Excess and surplus determination ..................................... 8-3
8.2.3 Step 3: Initial discussions .............................................................. 8-4
8.2.4 Step 4: The Redevelopment Act process ...................................... 8-4

8.3 REQUESTING A LEASEBACK ............................................................. 8-4
8.3.1 LRAs that are pursuing an EDC ....................................................... 8-4
8.3.2 LRAs that are not pursuing an EDC ............................................... 8-5

8.4 PROPERTY CONVEYANCE .................................................................. 8-5
8.4.1 EDC leaseback conveyance ............................................................ 8-5
8.4.2 Stand-alone leaseback conveyance ............................................... 8-5

8.5 LEASE TERMS .................................................................................... 8-6
8.5.1 General guidance ........................................................................... 8-6
8.5.2 Statutory and regulatory requirements ......................................... 8-6
8.5.3 Applicability of existing Federal leasing authorities and requirements ..................................................... 8-7

8.6 END OF FEDERAL USE ....................................................................... 8-7

Appendix A: Laws and Regulations Affecting Base Reuse Implementation A-1

Appendix B: Base Closure and Reuse Laws and Amendments .................. B-1

BASE CLOSURE COMMUNITY ASSISTANCE ACT (Pub. L. 103-160, Title XXIX, Subtitle A) B-3
BASE CLOSURE COMMUNITY REDEVELOPMENT AND HOMELESS ASSISTANCE ACT OF 1994 (Pub. L. 103-421) B-20
DEFENSE BASE CLOSURE AND REALIGNMENT ACT OF 1990, AS AMENDED B-28

Appendix C: 32 CFR Parts 174, 175, and 176 ........................................... c-1

32 CFR Part 174: REVITALIZING BASE CLOSURE COMMUNITIES c-3
32 CFR Part 175: REVITALIZING BASE CLOSURE COMMUNITIES— BASE CLOSURE COMMUNITY ASSISTANCE c-5

iv December 1997
Appendix D: Leasing Materials

- **Model Lease Application Package**
- **Guide for Military Department Internal Review of Interim Lease Requests**
- **Leasing Policy Memos**

Appendix E: Regulations for Real Property Transfers and Public Benefit Conveyances

41 CFR Part 101-47—Utilization and Disposal of Real Property (Federal Property Management Regulations)

45 CFR Part 12—Disposal and Utilization of Surplus Real Property for Public Health Purposes (Department of Health and Human Services)

34 CFR Part 12—Disposal and Utilization of Surplus Federal Real Property for Educational Purposes (Department of Education)

400 Departmental Manual—Utilization and Disposal of Real Property (Department of the Interior)

43 CFR Part 2370—Restorations and Revocations (Bureau of Land Management)


60 Federal Register (FR) 35706—Final Rule for Public Benefit Conveyances of Port Facilities (General Services Administration)

46 Federal Register (FR) 42466—Final Rule for Public Benefit Conveyance of Port Facilities (Department of Transportation)

Appendix F: DoD Environmental Policies and Guidance

- **DoD Guidance and Policies on Fast Track Cleanup at Closing Installations** (9 September 1993)
  - DoD Guidance on Establishing Base Realignment and Closure Cleanup Teams
  - DoD Guidance on Accelerating the NEPA Analysis Process for Base Disposal Decisions
  - DoD Guidance on Improving Public Involvement in Environmental Cleanup at Closing Bases
  - DoD Policy on the Environmental Review Process to Reach a Finding of Suitability to Lease (FOSL)
  - DoD Policy on the Implementation of the Community Environmental Response Facilitation Act (CERFA)

- **DoD Guidance on the Environmental Review Process to Reach a Finding of Suitability to Transfer** (1 June 1994)
  - DoD Guidance on the Environmental Review Process to Reach a Finding of Suitability to Transfer (FOST) for Property Where Release or Disposal Has Occurred
  - DoD Guidance on the Environmental Review Process to Reach a Finding of Suitability to Transfer (FOST) for Property Where No Release or Disposal Has Occurred
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DoD Restoration Advisory Board (RAB) Implementation Guidelines</td>
<td>F-39</td>
</tr>
<tr>
<td>DoD Policies on Asbestos, Lead-Based Paint, and Radon at Base Realignment and Closure Properties</td>
<td>F-63</td>
</tr>
<tr>
<td>DoD Guidance on Implementation of Authority to Transfer Property</td>
<td>F-69</td>
</tr>
<tr>
<td>Before Completing Remediation</td>
<td></td>
</tr>
<tr>
<td>DoD Guidance on Clarification of “Uncontaminated” Environmental Condition of Property at Base Realignment and Closure Installations</td>
<td>F-73</td>
</tr>
<tr>
<td>DoD Policy on Responsibility for Additional Environmental Cleanup</td>
<td>F-77</td>
</tr>
<tr>
<td>After Transfer of Real Property</td>
<td></td>
</tr>
<tr>
<td>Appendix G: Federal Points of Contact for Base Reuse</td>
<td>G-1</td>
</tr>
</tbody>
</table>
Acronyms, Abbreviations and Definitions

Acronyms and Abbreviations

ACM  Asbestos Containing Material
AHPA  Archeological and Historic Preservation Act, 16 U.S.C.§ 469
AQCR  Air Quality Control Region
ARARs  Applicable or Relevant and Appropriate Requirements
AST  Aboveground Storage Tank

BCCRHAA 94  Base Closure Community Redevelopment and Homeless Assistance Act of 1994, Pub. L. 103-421 (known as the "Redevelopment Act")

BCP  BRAC Cleanup Plan
BCT  BRAC Cleanup Team
BEC  BR4C Environmental Coordinator
BEST  Building Economic Solution Together
BGEPA  Bald and Golden Eagle Protection Act, 16 U.S.C.§ 668
BIA  Bureau of Indian Affairs
BLM  Bureau of Land Management
BOQ  Bachelor Officers Quarters
BRAC  Base Realignment and Closure
BTC  Base Transition Coordinator
BCTO  Base Closure and Transition Office

CAA  Clean Air Act, 42 U.S.C.§ 7401 et seq., as amended
CATEX  Categorical Exclusion from NEPA environmental impact analysis
CDBG  Community Development Block Grant
CERCLA  Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C.§ 9601 et seq., as amended
CERFA  Community Environmental Response Facilitation Act, Pub. L. 102-426
CFR  Code of Federal Regulations
c o  Commanding Officer
CWA  Clean Water Act, 33 U.S.C.§§ 1251-1387, as amended
CZMA  Coastal Zone Management Act, 16 U.S.C. 3§1451-1464

DDES B  Department of Defense Explosive Safety Board
DEIS  Draft Environmental Impact Statement
DERP  Defense Environmental Restoration Program
DoD  Department of Defense
DOEd  Department of Education
<table>
<thead>
<tr>
<th>Acronyms and Abbreviations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DOI</strong></td>
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<td><strong>NAGPRA</strong></td>
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<td><strong>NAF</strong></td>
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<td><strong>NCP</strong></td>
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**Definitions**

Closure. All missions of the installation have ceased or have been relocated. All personnel positions (military, civilian and contractor) have either been eliminated or relocated, except for personnel required for caretaking, conducting any ongoing environmental cleanup, and disposal of the base, or personnel remaining in authorized enclaves.

Communities in the Vicinity of the Installation. The communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation. If no redevelopment authority is formed at the local level, and the State is serving in that capacity, the communities in the vicinity of the installation are deemed to be those political jurisdiction(s) (other than the State) in which the installation is located.

Consolidated Plan. The plan prepared in accordance with the requirements of 24 CFR Part 91.

Consultation. Explaining and discussing an issue, considering objections, modifications, and alternatives; but without a requirement to reach agreement.

Date of approval. The date on which the authority of Congress to disapprove Defense Base Closure and Realignment Commission recommendations for closures or realignments of installations expires under Title XXIX of Pub. L. 101-510 (104 Stat. 1808), as amended.

Excess property. Any property under the control of a Military Department that the Secretary concerned determines is not required for the needs of the Department of Defense.

Installation. A base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

Local Redevelopment Authority (LRA). Any authority or instrumentality established by State or local government and recognized by the Secretary of Defense, through the Office of Economic Adjustment, as the entity responsible for developing the redevelopment plan with respect to the installation or for directing implementation of the plan.

Realignment. Any action that both reduces and relocates functions and DoD civilian personnel positions, but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances, or other similar cause. A realignment may terminate the DoD requirement for the land and facilities on part of an installation. That part of the installation shall be treated as “closed” for purposes of this part.

Representative(s) of the homeless. A State or local government agency or private nonprofit organization, including a homeless assistance planning board, which provides or proposes to provide services to the homeless.

Rural. An area outside a Metropolitan Statistical Area.

Similar Use. A use that is comparable to or essentially the same as the use under the original lease.

Substantially equivalent. Property that is functionally suitable for the proposed use. For example, if the representative of the homeless had an approved application for a building which would accommodate 100 homeless persons in an emergency shelter, the replacement facility would also have to accommodate 100 at a comparable cost for renovation.

Substantially equivalent funding. Sufficient funding to acquire a substitute facility. For example, if the approved homeless assistance submission was for an emergency shelter that would accommodate 100 homeless, substantially equivalent funding would mean the funds necessary to acquire a comparable facility at another location.

Surplus property. Any excess property not required for the needs and the discharge of the responsibilities of all Federal agencies. Authority to make this determination, after screening with all Federal agencies, rests with the Military Departments.

x December 1997