



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND SOUTHWEST
1220 PACIFIC HIGHWAY
SAN DIEGO, CA 92132-5190

11011
Ser JV10.AS/6177
18 Jul 2016

Mr. John Ruhs, Nevada State Director
Department of the Interior, Bureau of Land Management
1340 Financial Boulevard
Reno, Nevada 89502

Dear Mr. Ruhs,

In accordance with 43 U.S.C. § 155 – 158, the Federal Land Policy and Management Act of 1976, as amended, (FLPMA) 43 U.S.C. 1714, 43 CFR Part 2300 and, as implemented by BLM Instruction Memorandum No. 2001-030, the Department of the Navy (DON) requests processing of this land withdrawal application for the withdrawal and reservation of 604,744 additional acres of public lands located near the Naval Air Station Fallon Ranges, Nevada. This area, also known as the Fallon Range Training Complex (FRTC), is required for military use to support pre-deployment combat training for U.S. naval aviation and Naval Special Warfare (NSW) forces.

The current FRTC land withdrawal and reservation consists of 202,859 acres authorized by the National Defense Authorization Act for Fiscal Year 2000, Military Land Withdrawal Act of 1999 (Public Law 106-65). The DON requests to expand the FRTC by 604,744 acres to expand bombing ranges B-16, B-17, B-19, B-20 and the Dixie Valley Training Area to meet FRTC requirements. The acres of the withdrawal expansion and the lands withdrawn and reserved by Public Law 106-65 total 807,603 acres. A separate application requesting the extension (renewal) of the withdrawal and reservation under Public Law 106-65 is in process.

National defense requirements are rapidly evolving in response to new and emerging worldwide threat conditions. The Department of Defense (DOD) has responded to these new and emerging threats with advances in combat platform and weapon technologies, in an effort to maintain a competitive edge in combat operations abroad. History has demonstrated a strong correlation between combat capability and survivability in warfare. The evolution of modern combat systems has placed an increased demand on tactical training ranges to meet combat pre-deployment training requirements. For the DON, one hundred percent of deploying naval aviation units trains at the FRTC prior to deployment; a significant percentage of deploying NSW units also trains at FRTC. The introduction of modern and advanced weapons systems already exceeds the DON's ability to train realistically at the FRTC while maintaining public safety. Training protocol of exercising Tactics, Techniques and Procedures are severely limited due to a lack of adequate training space at the FRTC. These limitations in training diminish combat readiness (and ultimately combat success) because of Navy's current inability to train to realistic employment methods of existing weapons systems. This withdrawal request is essential

to the DON to provide a realistic tactical training at the FRTC while continuing to provide for public safety.

The DON will promptly notify the BLM if new developments change the purpose or acreage associated with this request.

In addition, the DON has requested the Bureau of Land Management (BLM) to petition or apply to the Secretary of the Interior, pursuant to section 204 of FLPMA for a 7-year administrative withdrawal of the public lands within the exterior boundaries of the lands described in paragraph 6 of this withdrawal application for the purpose of maintaining the *status quo* of the lands so that the DON and the BLM may conduct a land management analysis in support of a possible future transfer of lands to DON jurisdiction. The BLM has separately filed such petition/application.

1. Name and Address of Applicant:

(a) Name and address of person delegated the authority to file the application.

Mr. David Bixler, Naval Facilities Engineering Command Southwest (NAVFAC SW), Director of Real Estate, on behalf of the Commander of COMNAVFACENGCOM, 1220 Pacific Highway, San Diego, CA 92132; phone (619) 532-2590, email david.b.bixler@navy.mil.

(b) Name and address of using agency.

Department of the Navy, Naval Air Station Fallon, 4755 Pasture Road, Fallon, NV 89406

(c) Name, address, and phone number of primary point of contact for all aspects in preparing and processing the application.

Ms. Alia Sumpter, Naval Facilities Engineering Command Southwest (NAVFAC SW), Senior Realty Specialist, Asset Management-Real Estate 1220 Pacific Highway, San Diego, CA 92132; phone (619) 532-3027, email alia.sumpter@navy.mil.

2. Designation and Delegation of Authority:

Secretary of the Navy (SECNAV) Instruction 11011.47C assigns responsibility and delegate's authority to carry out DON policy for the acquisition, management, and disposal of real property and real property interests. Authority to accomplish real estate actions is delegated to the Commander, Naval Facilities Engineering Command (COMNAVFACENGCOM). Navy Manual P73, the DON real estate manual, identifies procedural guidance and requirements for real estate actions, including withdrawal application preparation and proposed legislation development. For this specific project, the geographic Facilities Engineering Command (FEC) is Naval Facilities Engineering Command, Southwest (NACFAC SW), in San Diego, California and the Director of Real Estate is delegated authority to accomplish real estate actions on behalf of DON.

3. Other Agency Consent:

Portions of the B-20 requested withdrawal expansion area are withdrawn from the public domain under Executive Order 5606 dated April 22, 1931, and are under the administration of the U.S. Fish & Wildlife Service (USFWS). Portions of the B-16 requested withdrawal expansion area are withdrawn from the public domain under Secretary's Order of August 4, 1904, and reserved for use by the Bureau of Reclamation (BOR) for the Newlands Reclamation Project. Consent documentation regarding the areas for withdrawal expansion from the USFWS and BOR are enclosed with this application.

4. Type of Withdrawal Action:

The DON requests the withdrawal of public lands around existing training ranges B-16, B-17, B-19, B-20, and the Dixie Valley Training Area (DVTA) from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, and geothermal leasing laws; and reservation for DON purposes. In addition, the DON requests that those public lands in the DVTA already encompassed by the current land withdrawal under Public Law 106-65 be withdrawn from the mineral leasing laws as well.

5. Legal Description:

The withdrawal expansion area is located in Churchill, Lyon, Mineral, Nye, and Pershing Counties, Nevada. Enclosure (1) contains maps of the withdrawal expansion area, and Enclosure (2) delineated the legal description.

6. Gross Land and Water Acreage within the Exterior Boundaries:

The gross land area within the withdrawal expansion area contains 678,671 acres of land.

(a) The acreage of all Federal lands is as follows and is in Enclosure (1):

- (1) BLM-managed lands - 604,744 acres.
- (2) DVTA lands withdrawn for DON use by Public Law 106-65 - 57,355 acres.
- (3) Other Federally-owned lands - 45 acres.
- (4) DON acquired lands - 8,722 acres.

(b) The legal description for the withdrawal expansion area is provided in Enclosure (2).

(c) The acreage of all non-Federal lands is as follows and is in Enclosure (1):

- (1) Private lands - 65,153 acres.
- (2) State lands - 6.48 acres.

(d) The legal description of the private lands within the withdrawal expansion area is provided in Enclosure (2).

(e) There are no surface water areas within the withdrawal expansion area with the exception of some dry lakebeds and permanent and ephemeral springs (standing water).

7. Overlapping Withdrawals:

This requested withdrawal expansion would overlap existing withdrawals. Portions of the proposed B-20 withdrawal expansion area are currently withdrawn and reserved for use by the BOR under the Secretary's Order of August 4, 1904 for the Newlands Reclamation Project. In addition, portions of the B-20 withdrawal expansion area are currently withdrawn under Executive Order 5606 of April 22, 1931, and under the administration of the USFWS.

8. Purpose of Statutory Program:

(a) Withdrawal expansion is necessary to support national security objectives and to provide for public safety. The withdrawal expansion will support both the DON's ongoing military readiness training and is required to develop enhancement of its capability to conduct such training into the future.

(b) Specific purposes for which the lands will be withdrawn are:

- (1) ensuring DON control of the ground beneath airspace that starts at the ground, range, maneuver areas, training facilities, and range infrastructure and resources to support current, emergent, and future training, in addition to tactics development and evaluation requirements;
- (2) conducting realistic flight combat training to current and future combat doctrine (known as Tactics, Techniques, and Procedures [TTPs]), taking into account current, emergent, and future developments in aircraft capabilities, standoff weapons (release distances, altitude, and heading [or approach angle]), platform sensors, and changes to strike warfare doctrine and tactics;
- (3) enabling Naval Aviation units to meet pre-deployment TTP training objectives; enabling NSW units to meet pre-deployment TTP training objectives for Tactical Ground Mobility;
- (4) ensuring sufficient buffer zones around targets used for precision guided munitions; and,
- (5) supporting training across all warfare areas.

9. Extent of Segregation:

The DON requests that the lands identified in this withdrawal expansion application be withheld from location and entry under the public land laws, including the mining laws, mineral leasing laws, and geothermal leasing laws. In addition, the DVTA, which is withdrawn from location and entry under the public land laws, including the mining laws, and geothermal leasing laws, but not the mineral leasing laws, would be withdrawn from the mineral leasing laws as well. The DON requests the maximum segregation period of 2 years.

10. Temporary Land Uses:

Licenses, permits, cooperating agreements, and discretionary land use authorizations, may be allowed during the segregation period with the approval of the BLM Authorized Officer with the concurrence of the Commanding Officer, NAS Fallon. DON addresses are shown in paragraph 1 of this application.

11. Analysis of Alternatives:

The primary reasons for the withdrawal expansion request are the unique nature of the training conducted at the FRTC and public safety. Expanding the land withdrawal would be the only authorization option that would satisfy the DON and FRTC requirements for safety and control of access to the lands. Military testing and training activities performed in the area cannot be statutorily accommodated under either a FLPMA right-of-way or a cooperative agreement. The Interior Board of Land Appeals has found that military training on public lands is appropriately authorized by a withdrawal in the case of contamination from military munitions, unexploded ordnance, munitions debris, and other range related debris and BLM policy reflects that finding. The withdrawal expansion may only be authorized by Congress.

12. Duration of Withdrawal:

The DON is applying for a 25-year land withdrawal expansion from the date enacted by Congress unless Congress deems it appropriate to withdraw the lands for a longer timeframe.

13. Alternative Sites:

The location of the FRTC was selected by the DON for its ability to provide the airspace and training ranges necessary to train deploying forces at the required advanced level of combat employment and proficiency.

The FRTC is comprised of a vast investment of training infrastructure containing tracking systems, scoring systems, threat opposition systems and record, display and debrief systems that provide tactical lessons learned and quantitative feedback on combat performance. These systems are currently supported by 12,256 square nautical miles of special use airspace (military operating areas and restricted airspace) and 223,557 acres of land. These capabilities cannot be replicated anywhere else in the world without extremely significant and unforeseeable commitment of financial and other organization resources. Every Carrier Air Wing trains at the FRTC prior to deployment. No other DOD range is capable of meeting Carrier Air Wing training requirements.

14. Water Requirements:

There are no surface water areas within the withdrawal expansion area with the exception of some dry lakebeds and permanent and ephemeral springs (standing water).

15. Location of Application Records:

Records relating to this application are available for examination at the following locations:

Naval Facilities Engineering Command Southwest (NAVFAC SW)
1220 Pacific Highway
San Diego CA 92132
619-532-3027

Facilities Management Division Director
Naval Air Station Fallon
4755 Pasture Road
Fallon, NV 89406-5000
775-426-2405

BLM Nevada State Office
Withdrawal Program
Attn: Edison Garcia
1340 Financial Blvd
Reno, NV 89502
775-861-6530

BLM Carson City District Office
5665 Morgan Mill Road
Carson City, Nevada 89701
775-885-6147

BLM Winnemucca District Office
5100 East Winnemucca Blvd.
Winnemucca, NV 89445
775-623-1500

16. Summary of Potential Mineral Activity in the Subject Area:

In accordance with the Engle Act, a comprehensive Geology and Mineral Potential Report covering the withdrawal expansion area will be prepared.

17. Contamination of any or all Requested Withdrawn Lands:

The DON will analyze whether the proposed use will result in contamination of any or all of the requested withdrawal expansion area, and if so, whether such contamination will be permanent or temporary [Engle Act Section 3 (5)].

If additional information is required, please contact me at (619)-532-2590 or email at david.b.bixler@navy.mil.

Sincerely,



David B. Bixler
Real Estate Contracting Officer

Copy to:

Commander, Navy Installations Command (N4)
716 Sicard St. SE, Suite 1000
Washington Navy Yard, DC 20374

Commander, Navy Installations Command
N444 Asset Management Branch, Air Team
716 Sicard St. SE, Suite 1000
Washington Navy Yard, DC 20374

Commander, Navy Region Southwest (N4)
937 North Harbor Drive
San Diego, CA 92132-0058

Commanding Officer, Naval Air Station Fallon
4755 Pasture Road
Fallon, NV 89406

Department of the Interior, BLM, WO-350
Military Program Leads
Attn: Celeste Mitchell/Brenda Wilhight
1849 C. Street, NW, Room 2134LM
Washington, DC 20240

BLM Nevada State Office

Withdrawal Program
Attn: Edison Garcia
1340 Financial Blvd
Reno, NV 89502

BLM Carson City District Office
BLM Stillwater Field Office Manager
Attn: Terri Knutson
5665 Morgan Mill Road
Carson City, Nevada 89701

BLM Carson City District Office
Project Manager
Attn: Colleen Sievers
5665 Morgan Mill Road
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BLM Winnemucca District Office
Lands and Realty Division
Humboldt River Field Office Manager
Attn: David Kampwerth
5100 East Winnemucca Blvd.
Winnemucca, NV 89445

BLM Stillwater Field Office
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5665 Morgan Mill Road
Carson City, Nevada 89701