

Approved, unless noted rejected

174-3A

129-1

130-4A

131-4A

132-1

| 130, as amended

| 131, as amended

133-3 rejected

133-1

134-4A

| 134, as amended

? 173

173, as amended

135-2

136-4A

rejected

136-1

~~rejected~~

137-4A

| 137, as amended

196-4B

149-1

rejected (Unit Sec Def rec. stands)

~~143-3A~~

146-3A

146, as amended

198-4A

196-4B

178-2

***Need an amendment for the following:***

***- Realigns the 911<sup>th</sup> Airlift Wings eight (8) C-130 H aircraft at the Pittsburgh Air Reserve Station as assigned.***

***- Establishes an enclave at the Pittsburgh International Air Station (ARS), PA at its current manning level.***

***- Establishes a Regional Joint Readiness Center (RJRC) at the Pittsburgh International Air Station with the mission of providing civil-military operations, homeland security and community based medical support to the Department of Defense and to the Department of Homeland Security National Incident Management Plan and the National Response Plan.***

A Motion to Amend  
Air Force Recommendation 32,  
Cannon Air Force Base, NM,  
appearing at Chapter III, Section 100 of the Bill.

Realigns Cannon AFB, NM; establishes single site IFF.

Offered by: -----

Seconded by: -----

Approved

Disapproved

~~Read that when~~

I move:

- that the Commission find that when the Secretary of Defense made Air Force Recommendation 32, Cannon Air Force Base, NM, he substantially deviated from Final Selection Criteria 1, ~~4~~ 6 and 7 and the Force Structure Plan;
- that the Commission strike the entire recommendation and insert in its place "**Realign Cannon Air Force Base, NM** by disestablishing the 27<sup>th</sup> Fighter Wing and distributing its aircraft to meet the requirements established by the Base Closure and Realignment recommendations of the Secretary of Defense, as amended by the Base Closure and Realignment Commission. Relocate from Moody AFB, GA, all Introduction to Fighter Fundamentals (IFF) Training for Pilots ~~(IFF)~~ Training for Weapons Systems Officers, IFF Training for Instructor Pilots, and all associated training assets and aircraft, including all AT-38/T-38C aircraft, to Cannon AFB, NM.", and *that the Secretary of Defense shall seek other missions as appropriate and assign them to Cannon AFB.*   
and that the Commission find this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.

~~THE~~ AIR NATIONAL GUARD REFERENCE UNIT,  
107<sup>th</sup> ~~ARTS~~ / NIAGARA FALLS, N.Y. NEEDS

TO REMAIN WITH THE "ENCLAVE"; AN ~~ECS~~  
~~PACKAGE~~, "EXPEDITIONARY COMBAT SUPPORT," PACKAGE

WHICH ALLOWS GOVERNOR TO HAVE ACCESS TO FIRE,  
MEDICAL, CIVIL ENGINEERING, ETC. <sup>SUPPORT</sup> UNITS FOR  
HOMELAND DEFENSE/ SECURITY CAPABILITY. RETAINING  
107<sup>th</sup> ECS IS ESSENTIAL FOR JOB COMMAND +  
CONTROL CAPABILITIES IN THE WESTERN REGION OF  
STATE,

Get included  
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of New York  
EUFRO

107th was  
Congressman Tom Reynolds  
Old unit 70-76  
Existence since 1946

OH

Motion # 104-4A

A Motion to Amend  
Air Force Recommendation 37,  
Grand Forks Air Force Base, North Dakota  
appearing at Chapter III, Section 104 of the Bill.

Adjusts distribution of aircraft to reconcile substantial deviations in this and other related recommendations.

Offered by:         Coyne        

Seconded by: \_\_\_\_\_

Approved

Disapproved

I move:

- that the Commission find that when the Secretary of Defense made Air Force Recommendation 37, Grand Forks Air Force Base, North Dakota, he substantially deviated from Final Selection Criteria 1 and 3 and the Force Structure Plan;
- that the Commission strike the language "Distribute the 319<sup>th</sup> Air Refueling Wing's KC-135R aircraft to the 126<sup>th</sup> Air Refueling Wing (ANG), Scott AFB, IL (12 aircraft), which retires its eight KC-135E aircraft; the 916<sup>th</sup> Air Refueling Wing (AFR), Seymour-Johnson AFB, NC (eight aircraft), which will host an active duty associate unit; the 6<sup>th</sup> Air Mobility Wing, MacDill AFB, FL (four aircraft), which will host a Reserve association with 927<sup>th</sup> Air Refueling Wing (AFR) manpower realigned from Selfridge ANGB, MI; the 154<sup>th</sup> Wing (ANG), Hickam AFB, HI (four aircraft), which will host an active duty associate unit; and the 22<sup>d</sup> Air Refueling Wing, McConnell AFB, KS (eight aircraft), which currently associates with the 931<sup>st</sup> Air Refueling Group (AFR)" and insert in its place the language, "Distribute the 319<sup>th</sup> Air Refueling Wing's KC-135R/T aircraft to meet the Primary Aircraft Authorizations (PAA) requirements established by the Base Closure and Realignment recommendations of the Secretary of Defense,

as amended by the Defense Base Closure and Realignment Commission. Establish the following KC-135R/T PAA:

- The 126<sup>th</sup> Air Refueling Wing (ANG), Scott AFB, IL (eight PAA KC-135R/T). The 126<sup>th</sup> Air Refueling Wing KC-135E aircraft will be transferred to the Aerospace Maintenance and Regeneration Center (AMARC) at Davis-Monthan AFB, AZ, for appropriate disposal as economically unserviceable aircraft;
- The 916<sup>th</sup> Air Refueling Wing (AFR), Seymour-Johnson AFB, NC (16 PAA KC-135R/T), which will host an active duty associate unit;
- The 6<sup>th</sup> Air Mobility Wing, MacDill AFB, FL (16 PAA KC-135R/T), which will host a Reserve association with 927<sup>th</sup> Air Refueling Wing (AFR) manpower realigned from Selfridge ANGB, MI;
- The 154<sup>th</sup> Wing (ANG), Hickam AFB, HI (12 PAA KC-135R/T), which will host an active duty associate unit, and;
- The 22<sup>d</sup> Air Refueling Wing, McConnell AFB, KS (48 PAA KC-135R/T), which currently associates with the 931<sup>st</sup> Air Refueling Group (AFR);

Modify infrastructure at Grand Forks AFB to accommodate the emerging Unmanned Aerial Vehicle (UAV) mission. The Secretary of Defense will maintain eight KC-135 aircraft at Grand Forks Air Force Base to facilitate an efficient and cost effective bed down of UAVs. The Secretary will keep the tankers in place until the UAVs are operational at Grand Forks, but not later than 31 Dec 2010 unless otherwise required by the Department of Defense for National Emergencies.

- that the Commission strike the language "Realign McConnell Air National Guard (ANG) Base by relocating the 184<sup>th</sup> Air Refueling Wing (ANG) nine KC-135R aircraft to the 190<sup>th</sup> Air Refueling Wing at Forbes Field AGS, KS, which will retire its eight assigned KC-135E aircraft." and insert in its place, "Realign McConnell Air National Guard (ANG) Base by distributing the 184<sup>th</sup> Air Refueling Wing's (ANG) nine KC-135R/T aircraft to meet the PAA requirements established by the Base Closure and Realignment recommendations of the Secretary of Defense, as amended by the Base Closure and Realignment Commission. Establish 12 Primary Aircraft

Authorization KC-135R/T aircraft at the 190<sup>th</sup> Air Refueling Wing, Forbes Field AGS, KS. The 184<sup>th</sup> Air Refueling Wing KC-135E aircraft will be transferred to the AMARC at Davis-Monthan AFB, AZ, for appropriate disposal as economically unserviceable aircraft.”, and:

- that the Commission find this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.



It shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, by the end of March 2006 have not been taken in their entirety unless the Comptroller ~~Gen.~~ General of the Government Accountability Office certifies in writing to the President ~~by June 1, 2006, and~~, and oversight committees of Congress by June 1, 2006, and

\* \* It shall be deemed that the actions prescribed to be taken by the State of Florida and the city of Jacksonville, respectively, by the end of ~~March~~ <sup>DECEMBER</sup> 2006 have not been taken in their entirety unless the Comptroller General of the Government Accountability Office certifies in writing to the President and oversight Committee: Congress by June 1, 200~~7~~, and



*Updated  
F&I Evening 76 A06*  
Motion # 193-4A

A Motion to A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved

Disapproved

I move:

- that the Commission add the words “and ordinances” in paragraph number four, line two after the words “enforce legislation” and add the words “and Navy Auxiliary Landing Field (NALF) Fentress” in paragraph number four, line three after the words “Naval Air Station Oceana”
- that the Commission delete the words “to condemn and purchase” in paragraph six, line one and substitute the words “that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, to fund the condemnation and purchase the property rights of ” in paragraph six, line one after the words “establish a program” and add the words “that is incompatible under the AICUZ guidelines” in paragraph number six, line two after the words “all the property” and add the words “and NALF Fentress” in paragraph six, line three after the word ‘Oceana” and add the words “and to appropriate and expend \$15 million dollars annually for such purposes, none of which can come from federal funds” at the end of the paragraph six after the word “Navy”
- that the Commission delete the word “evaluate” in paragraph number eight, line one and substitute the words “ensure that” in its place; and delete the words “for rezoning classifications that would” and substitute the words “are rezoned to” in paragraph number eight, line two after the words “70dB DNL or greater”
- that the Commission add the words “and dedicated state and local funding” in paragraph number nine, line one after the words “establish programs”
- that the Commission insert an additional paragraph after paragraph nine that states:

- “it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Chairman of the 2005 Base Closure and Realignment Commission certifies in writing to the President by April 15, 2006 that such actions have been taken”
- that the Commission finds this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.



Draft

Motion # 193-4A

A Motion to A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved

Disapproved

I move:

- that the Commission add the words "and ordinances" in paragraph number four, line two after the words "enforce legislation" and add the words "and Navy Auxiliary Landing Field (NALF) Fentress" in paragraph number four, line three after the words "Naval Air Station Oceana"
- that the Commission delete the words "to condemn and purchase" in paragraph six, line one and substitute the words "that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake to fund the condemnation and purchase of the development rights of " in paragraph six, line one after the words "establish a program" and add the words "that is incompatible under the AICUZ guidelines" in paragraph number six, line two after the words "all the property" and add the words "and NALF Fentress" in paragraph six, line three after the word 'Oceana" and add the words "and to appropriate and expend \$15 million dollars annually for such purposes, none of which can come from federal funds" at the end of the paragraph six after the word "Navy"
- that the Commission delete the word "evaluate" in paragraph number eight, line one and substitute the words "ensure that" in its place; and delete the words "for rezoning classifications that would" and substitute the words "are rezoned to" in paragraph number eight, line two after the words "70dB DNL or greater"
- that the Commission add the words "and dedicated state and local funding" in paragraph number nine, line one after the words "establish programs"

- that the Commission insert an additional paragraph after paragraph nine that states:
- “it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Chairman of the 2005 Base Closure and Realignment Commission certifies in writing to the President by April 15, 2006 that such actions have been taken”
- that the Commission finds this change and the recommendation as amended are consistent with the Final Selection Criteria and Force Structure Plan.



Full Motion on 26 Aug

Motion Number: 193-4A V1

A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved

Disapproved

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
  - "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
  - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:
  - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater; and,
  - enact state and local legislation and city ordinances, as appropriate, to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, to fund the condemnation and purchase of the property rights for all of the property that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes none of which can come from federal funds; and,

- codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations; and,
- legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines; and,
- establish programs and dedicated state and local funding for purchase of property and related rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; enact legislation creating the Oceana/Fentress Advisory Council;” and,
- it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, by the end of March 2006 have not been taken in their entirety unless the ~~Chairman of the 2005 Base Closure and Realignment Commission~~ certifies in writing to the President by ~~April 15, 2006~~ <sup>June 1</sup>; and,
- ~~and~~ if the State of Florida:
- appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida; and,
- appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation; and,
- turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field; and,
- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets all the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.” at Chapter XI, Section 193 of the Bill; and,

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*[Handwritten scribble]*

- o that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Further, this motion shall include an additional statement of the Commission:

The BRAC 2005 report language shall state:

“It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states' comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states' comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base.”



Motion # 193-4A

A Motion to Make  
Additional Recommendation 3,  
Naval Air Station, Oceana, Virginia,  
to appear at Chapter XI, Section 193 of the Bill.

Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: -----

Seconded by: -----

Approved                  Disapproved

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
  - "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
    - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit:
      - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone

*1st day*

*Motion  
Made  
by  
Chair*

- (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;
- enact state and local legislation and ordinances to establish a program to condemn and purchase all the property located within all the Accident Potential Zone One areas for Naval Air Station Oceana as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy.
  - codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;
  - legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in Noise Zones 70dB DNL or greater for rezoning classifications that would not allow uses incompatible under AICUZ guidelines;
  - establish programs for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council.” at Chapter XI, Section 193 of the Bill, and;
  - and if the State of Florida:
    - appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,
    - appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;
    - turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia and the

municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field.

- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.” at Chapter XI, Section 193 of the Bill, and;
- that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Additional statement of the Commission:

The BRAC 2005 report language shall state:

“It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening

encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."



Motion Number: 193-4A V1

A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
  - "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
  - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:
    - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;
    - enact state and local legislation and ordinances to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake ~~to fund the condemnation and purchase of the development rights~~ of all the ~~property~~ that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes none of which can come from federal funds and;
    - codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;
    - legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise

*respectively*

*as necessary, to order*

*can't condemn development rights*

*paraphrase*

Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines;

- establish programs and dedicated state and local funding for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council," at Chapter XI, Section 193 of the Bill, and; ~~and~~
- it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Chairman of the 2005 Base Closure and Realignment Commission certifies in writing to the President by April 15, 2006 that such actions have been taken, and;
- and if the State of Florida:
- appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida; and;
- appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;
- turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field; and,
- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets all the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base." at Chapter XI, Section 193 of the Bill, and;

- o that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Further, this motion shall include an additional statement of the Commission:

The BRAC 2005 report language shall state:

"It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying ~~Field~~ <sup>Filed</sup> Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil ~~Field~~ <sup>Field</sup> and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states' ~~comments~~ <sup>comments</sup>, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states' ~~comments~~ <sup>comments</sup> and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."

To the full text of Motion Number: 193-4A regarding Realignment of Naval Air Station Oceana, Virginia:

I move:

that the Commission add the words **“and ordinances”** in paragraph number four, line two after the words **“enforce legislation”** and add the words **“and Navy Auxiliary Landing Field (NALF) Fentress”** in paragraph number four, line three after the words **“Naval Air Station Oceana”**

that the Commission delete the words **“to condemn and purchase”** in paragraph six, line one and substitute the words **“that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake to fund the condemnation and purchase of the development rights of ”** in paragraph six, line one after the words **“establish a program”** and add the words **“that is incompatible under the AICUZ guidelines”** in paragraph number six, line two after the words **“all the property”** and add the words **“and NALF Fentress”** in paragraph six, line three after the word **“Oceana”** and add the words **“and to appropriate and expend \$15 million dollars annually for such purposes, none of which can come from federal funds”** at the end of the paragraph six after the word **“Navy”**

that the Commission delete the word **“evaluate”** in paragraph number eight, line one and substitute the words **“ensure that”** in its place; and delete the words **“for rezoning classifications that would”** and substitute the words **“are rezoned to”** in paragraph number eight, line two after the words **“70dB DNL or greater”**

that the Commission add the words **“and dedicated state and local funding”** in paragraph number nine, line one after the words **“establish programs”**

that the Commission insert an additional paragraph after paragraph nine that states:

- **“it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Chairman of the 2005 Base Closure and Realignment Commission certifies in writing to the President by April 15, 2006 that such actions have been taken”**

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Motion Number: 193-4A V1

**Overview:** A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

**Group:** Navy

**Full Text**

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;

- that the Commission add to the list of installations to be closed or realigned the recommendation:

- "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,

- if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:

- enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level DNL or greater;

- enact state and local legislation and ordinances to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake to fund the condemnation and purchase of the development rights of all the property that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes none of which can come from federal funds and ;

Deleted: to condemn and purchase

- codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations;

- legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines;

Deleted: evaluate

Deleted: for

- establish programs and dedicated state and local funding for purchase of development rights of the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; Enact legislation creating the Oceana/Fentress Advisory Council." at Chapter XI, Section 193 of the Bill, and;

Deleted: rezoning classifications that would

long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."

- it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Chairman of the 2005 Base Closure and Realignment Commission certifies in writing to the President by April 15, 2006 that such actions have been taken, and;

- and if the State of Florida:

- appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,

- appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation, and;

- turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field.

- If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets all the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base." at Chapter XI, Section 193 of the Bill, and;

- that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Additional statement of the Commission:

The BRAC 2005 report language shall state:

"It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the



Statement  
of  
Anthony J. Principi  
  
Chairman  
2005 Defense Base Closure and Realignment  
(BRAC) Commission  
  
Closing of Final Deliberations and Decisions

Arlington, Virginia

August 27, 2005

\*\*\* \*\*

As the clock runs out on the Commission's deliberations and decisions, I want to take a moment to reflect on the decisions we reached over the past few days.

Some will keep a score card of base closures or realignments we approved, or rejected, or of the dollars we saved or expended. Those measures are important, but I believe we should look beyond these numbers. This Commission played an integral and essential role in the arduous, but necessary, evolution of our armed forces.

Change is always difficult and frequently painful. In the short run, human institutions tend to avoid pain and defer difficulties. And those short-run inclinations tend to produce long-run inertia; inertia that can paralyze institutions that must remain dynamic if they are to succeed and prosper.

I believe that Commissioners, and the staff that supports us, can take pride in our role in balancing proposals to restructure military infrastructure against the human and painful impact of those proposals; in fulfilling our responsibility to provide an *independent* assessment of the Department of Defense's adherence to the statutory BRAC selection criteria and the defense force structure plan.

We have approved closure of major Army bases such as Ft. Monmouth, Ft. McPherson, and Ft. Gillem, Navy bases at Pascagoula and Ingleside and transformed operations at Air Force bases like Cannon Air Force Base. We approved proposals to close facilities with historic legacies such as Walter Reed Army Medical Center and Ft. Monroe, as well as relatively new facilities like the Navy base at Ingleside. Our approval of a host of closures and realignments, both major and minor, will enable the streamlining of all our military forces, active, National Guard and Reserve, as well as the extensive logistics, research and development, maintenance and repair infrastructure supporting them.

Our actions support the creation of "centers of excellence"; consolidating activities with common goals or missions, a major theme of the Department's recommendations.

We did not flinch when we determined that the Department's proposals are consistent with the BRAC selection criteria and force structure plan.

Neither did we flinch when we determined that some proposals substantially deviated from those criteria and structure.

Major installations like the Portsmouth Navy Yard, Submarine Base New London, the Red River Army Depot, and Ellsworth Air Force Base will continue to contribute to our national defense.

Nor did we hesitate to identify and respond to problems, like the effect of encroachment at NAS Oceana, that we felt the Secretary of Defense should have addressed but did not.

Our report will list the installations we approved for closure or realignment and the Defense Department proposals we rejected or modified. Preliminary estimates, subject to

revision, indicate that our recommendations will save about \$37 billion, including military personnel cost avoidances, and approximately \$13 to 14 billion excluding DoD's military personnel cost avoidances, compared to the \$49 billion originally claimed by DoD.

Those numbers are important, but I believe they tell only part of the story. Secretary Rumsfeld made it clear that, in addition to savings, transformation of our armed forces was a major goal of this BRAC round.

Keeping in mind that "collocation" is not synonymous with "integration", that "transformation" is not synonymous with "jointness", and that the Secretary's recommendations won't move the ball across the goal line, I do believe that our decisions will help move the ball down the field.

I also believe that the BRAC process is a healthy and necessary one.

As difficult as it may be, our nation should regularly reexamine our military infrastructure. Failure to do so will inevitably drag down our defense with the sea anchor of unneeded, obsolete or poorly sited installations.

For that reason I recommend that the Congress provide for regularly scheduled BRACs at 5 or 10 year intervals. I also recommend that future BRACs begin their work immediately *after* completion of the Defense Department's Quadrennial Defense Review rather than just before.

The members and staff of this Commission performed at heroic levels to complete their work in the few months between May 13 and September 8. While uncommon dedication is a common virtue in the men and women who serve our national defense, including this Commission and its staff, I also recommend that future Commissions not be required to depend upon the uncommon willingness of Commissioners and staff setting aside all personal life to work unending hours at an exhausting pace, but rather that future Commissions be given more time to complete their analysis and deliberations.

In order to avoid the perception of political interference in the Commission's deliberations, I recommend that Congressional oversight of future BRACs be deferred until after a future BRAC Commissions' report is completed.

This Commission could not have completed its work without the dedicated hard work of a large number of disparate, but equally committed, individuals and organizations.

Our deliberations took place under the unobtrusive but watchful eyes of Arlington County Police officers, Arlington County Sheriffs deputies, Virginia State Troopers and United States Marshals. Theirs is an unsung but essential role in proceedings like ours and I appreciate their unfailing professionalism.

While we had early problems obtaining accessible information from the Department of Defense, I would be remiss if I did not commend the Department and its leaders for moving to correct those problems and for the exemplary effectiveness of the “data clearinghouse” established to provide certified and responsive answers to our questions.

I also acknowledge the many members of Congress, and the Committees they represent, who contributed to the Commission’s success. In their advocacy, they played an irreplaceable role in ensuring that the Commission had the benefit of *all* points of view.

No Commission can succeed without a capable and hard working staff, and this Commission is blessed with a staff of vast competence and extraordinary dedication. Our staff includes men and women who set aside the pleasures of retirement and summer vacations to take up long hours of high-stress work and seven-day work weeks. They combined extensive travel with an unqualified commitment to perfection.

Our staff includes extraordinarily capable men and women whose commitment to our mission led them to leave secure employment for a one-time job that will end in a matter of weeks, with no more security than a belief that performance will be rewarded. We also have the benefit of the knowledge and experience of detailees from government agencies who interrupted their careers to make this commission a success. Much of our administrative support came from consultants and contractor employees who quickly adopted a commitment to our mission and a laser-like focus on our outcomes. Their work for us made it clear to me that for them, this assignment was more than “just a job”.

The English language does not provide words adequate to express my gratitude and appreciation to *all* of the members of our staff; and to the members of our Commission.

I wonder how many of you knew what you were getting into when you said “yes” to membership on this Commission. All of you have successful and rewarding careers. *None* of you needed the stress, the travel, the overwhelming workload, the heart wrenching decisions that came with the title “commissioner”.

And yet each of you responded to the Commission’s challenges with the unquestioned integrity, the inexhaustible energy, and the bulldog like tenacity it took to burrow into the Department’s recommendations, formulate and raise the questions needed to understand them, and the judgment needed to reach fair and open decisions.

And, while we are all strong willed and articulate individuals, you made it a personal as well as a professional pleasure to work with you.

The men and women who defend our nation now, and those who will do so in the future, are in your debt.

The families who bring our defense communities to life are in your debt.

The American people who fund our national defense are in your debt. But, I will end by saying that..... I am in your debt.

Thank you for your service to our nation ..... and to this Commission.



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The American people who fund our national defense are in your debt. But, I will end by saying that..... I am in your debt.

Thank you for your service to our nation ..... and to this Commission.



I move that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4, and 5, and the Force Structure Plan; that the Commission add to the list of installations to be closed or realigned the recommendation: realign Naval Air Station Oceana, Virginia, by relocating the East Coast master jet base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit, enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow air installation compatibility use zone, AICUZ, guidelines in deciding discretionary development applications for property in noise levels 70 dB day-night, average noise level DNL or greater; enact state and local legislation and ordinance to establish a program to condemn and purchase all the **incompatible use**<sup>1</sup> property located within the accident potential zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ

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<sup>1</sup> Amendment by Commissioner Hill 26 August 2005

pamphlet published by the U.S. Navy **and to fund and expend no less than \$15 million annually in furtherance of the aforementioned program;**<sup>2</sup> codify the 2005 final Hampton Roads joint land use study recommendations; legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in noise zones 70 DB DNL or greater for rezoning classification that would not allow uses incompatible under AICUZ guidelines; establish programs for purchase of development rights of the inter-facility traffic area between NAS Oceana and NALF Fentress; enact legislation creating the Oceana-Fentress Advisory Council, **it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia, and the Cities of Virginia Beach, and Chesapeake respectively, by the end of March 2006 have not been taken in their entirety, unless the Comptroller General of<sup>3</sup> the Government Accountability Office certifies in writing to the President and oversight committees of Congress by June 1, 2006<sup>4</sup>; ~~chapter 11, section 193 of the bill<sup>5</sup>~~; and if the state of Florida appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida, appropriates sufficient funds to secure public-**

<sup>2</sup> Amendment by Commissioner Skinner 24 Aug 2005

<sup>3</sup> Removed by staff for clarity

<sup>4</sup> Amendment by Chairman Principi 26 Aug 2005

<sup>5</sup> Removed by staff as being nonsensical

private ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation and turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department on or before December 31, 2006, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, decline from the outset to take the actions required above or within 6 months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, failing to carry through with any of the actions set out above, whichever is later. The state of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the state of Florida and short-term tenancies consistent with the relocation of the master jet base to Cecil Field. **It shall be deemed that the actions prescribed to be taken by the State of Florida and the City of Jacksonville respectively by the end of 31 December 2006 have not been taken in their entirety unless ~~the Comptroller General of~~<sup>6</sup> the Government Accountability Office certifies in writing to the President**

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**and oversight committees of Congress by June 1, 2007.<sup>7</sup>**

If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to take all of the prescribed actions and the state of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include but are not limited to all of the Navy F/A-18 strike fighter wings, aviation operations and support schools, maintenance support, training, and any other additional support activities the Navy deems necessary and appropriate to support the operations of the master jet base, capability 11, section 193, of the bill; and that the Congress finds this additional recommendation is consistent with the Final Selection Criteria and the Force Structure Plan.

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Additional statement of the Commission: The BRAC 2005 report language shall state: "It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS Oceana for closure or realignment. The longstanding and steadily worsening encroachment problem around NAS Oceana, without strong

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<sup>7</sup> Amendment by Chairman Principi 26 August 2005

support from state and city governments to eliminate current and arrest future encroachment, will in the long term create a situation where the military value of NAS Oceana will be unacceptable degraded. The remedies presented to the Commission thus far have been unconvincing. It is also the sense of the Congress that the future of naval aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high-density training evolutions to other bases that are much less encroached, such as Naval Outlying Field White House, Florida, or Kingsville, Texas.

"The Secretary of Defense is directed to cause a rapid, complete due diligence review of the offer of the state of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within 6 months from the date that the BRAC legislation enters into force and is to be made public to the affected states for comment. After review of the states' comments, which shall be submitted within 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review,

the state comments, and his recommendation on the location of the Navy's future Atlantic Fleet master jet base."



I move that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4, and 5, and the Force Structure Plan; that the Commission add to the list of installations to be closed or realigned the recommendation: realign Naval Air Station Oceana, Virginia, by relocating the East Coast master jet base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit, enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow air installation compatibility use zone, AICUZ, guidelines in deciding discretionary development applications for property in noise levels 70 dB day-night, average noise level DNL or greater; enact state and local legislation and ordinance to establish a program to condemn and purchase all the **incompatible use**<sup>1</sup> property located within the accident potential zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ

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the state comments, and his recommendation on the location of the Navy's future Atlantic Fleet master jet base."



OCEANA ETC 26 AUG.

Mr. Skinner: I would like to hear what other Commissioners have to say, really this is the first time we've dealt with that. And I think what Mr. Coyle is trying to do is to make sure that the activities that have been requested, that if they have in fact been requested and he decides to make the move, that they be done. I guess I'm a little - that almost says that he wouldn't do it, and he would operate in bad faith, and I'm not ready to assume that that says that he wouldn't move them unless he did that. And I know Congress loves to do that, but I give the Secretary the benefit of the doubt that he won't operate in bad faith. This kind of assumes that he will and we ought to make sure that he doesn't and I guess that's why I'm troubled with it.

Mr. Bilbray: My question is, if you say he shall report, who does he report to if he doesn't report to somebody, who would you envision he report this to?

Mr. Skinner: All of this reporting is relatively new in this amendment, I have no problem with the first one, but the second one, I just wonder because then where does it stop. Did he report on this, did he report on that. We probably could go back and find 150 things we've asked the Secretary to do, is he going to report and certify on each. I think that's a little bit beyond the BRAC. But maybe to satisfy everybody that the Secretary doesn't operate in bad

faith, maybe somebody could come up with a better suggestion.

Chairman Principi: Well I would like to speak to this, I understand your concern about the word certify. Certainly as the Secretary and I think probably the same for you Mr. Secretary, I was asked to report to Congress on various issues more than I wanted to on various matters, provide a report on this issue or provide a report on that issue. I think if we can modify this language to say the Secretary of Defense shall submit a report to the President and copies of such report to the Oversight committees, that the direction of the BRAC have been fulfilled. I think that that would be - well -

Mr. Skinner: Well why don't we do a report to the Oversight Committees of the Congress. Shall submit a report to the Oversight Committees of the Congress.

Chairman Principi: Mr. Coyle would that be acceptable to you if we had the Secretary submit a report to the Oversight Committees?

Mr. Coyle: Yes Mr. Chairman, it would be and if you'd like I could read the full amended as suggested.

Chairman Principi: If you would please.

Mr. Coyle: Mr. Chairman, I move that the Commission find that when the Secretary of Defense made Army recommendation 11 Fort Monmouth New Jersey, he

substantially deviated from final selection criteria, 1, 2, 3, 4, 5, and 7. And the Force Structure Plan that the Commission add to the recommendation language, quote " The Secretary of Defense, shall submit a report to the President and provide copies of such report to Congressional Committees of Jurisdiction that movement of the organizations functions, or activities from Fort Monmouth, to Aberdeen proving ground will accomplished without disruption of their support to the global war on terrorism or other critical contingency operations. And that safeguards exist to ensure that necessary, redundant capabilities are put in place to mitigate potential degradation of such support. And to ensure maximum retention of critical work force." And that the Commission find this change and the recommendation as amended are consistent with the final selection criteria, and Force Structure Plan.

Chairman Principi: Mr. Coyle, I think what was asked is that the Secretary of Defense would submit the report to the Oversight committees of jurisdiction or Congressional Committees of Jurisdiction, however you wish to say it, and not to the President. Obviously most reports would go through the Office of Management and Budget. In any event, would that be acceptable?

Mr. Coyle: Of course. And perhaps I misunderstood

how many places the word certify was to be changed.

Mr. Skinner: All.

Chairman Principi: It shall read the Secretary of Defense shall submit a report to the Congressional Committees of Jurisdiction.

Mr. Coyle: Thank you Mr. Chairman.

Chairman Principi: Secretary Skinner is that acceptable?

Mr. Skinner: I will second the motion with that amendment.

Chairman Principi: We have a second. Are there any recusals.

General Hill: Mr. Chairman just as a matter of record. I didn't like this yesterday but I went along with it. And I don't like it today, but I'll go along with it because it is in fact what the Secretary would do anyway to ensure that he worked with the Congressional Oversight Committees to get the action completed in the first place. But it does in fact in my mind impugn the Secretary and is unnecessary.

Chairman Principi: Thank you. All in favor of motion 5-4D, as amended.

[A show of eight hands].

Chairman Principi: All opposed.

[No response].

Chairman Principi: One recusal.

Ms. Sarkar: Thank you Mr. Chairman, the vote tally is eight in favor, none opposed, and one abstention, therefore the motion is approved. Thank you.

Chairman Principi: I now offer an amendment to motion 193-4(a)(b)(1). Regarding additional recommendation three Naval Air Station Oceania. In paragraph A will be the wording: It shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia, and the Cities of Virginia Beach, and Chesapeake respectively, by the end of March 2006 have not been taken in their entirety, unless the comptroller general of the government accountability office certifies in writing to the President and Oversight Committees of Congress, by June 1, 2006.

And in paragraph 11, will be the words at the end of that paragraph: It shall be deemed that the actions prescribed to be taken by the state of Florida and the City of Jacksonville respectively by the end of 31 December 2006 have not been taken in their entirety unless the Comptroller General of the Government Accountability Officer, certifies in writing to the President and Oversight Committees of Congress, by June 1, 2007.

Is there a second.

General Newton: Second.

Chairman Principi: All in favor?

[A show of seven hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote is seven for the amendment, none opposed, and two abstentions. Therefore the motion is approved.

Chairman Principi: Thank you. General Hill?

General Hill: Yes Mr. Chairman, as a matter of specificity when we did this motion and it's the six dot, the paragraph starts: Enact, state and local legislation in order to establish a program to condemn and purchase all the property. That sentence is more correctly read, purchase all the non conforming property located within in all the accident potential Zone 1. We're asking way to much of them if they purchase all the property. It should be in fact, all the non conforming property, in fairness.

Mr. Skinner: So we're going to amend by adding the word non conforming?

General Hill: That is correct. Just add non conforming.

Mr. Skinner: I second the motion.

Chairman Principi: All favor?

Mr. Bilbray: Mr. Chairman, we're not supposed to discuss when we recuse, but non conforming as to what?

General Newton: Why don't you go ahead, Bill.

Mr. Fetzner: Mr. Chairman, in the ACUS manual and also the JLUS, the terms are incompatible use rather than non-conforming. So I think in order to make it clear to those who have to sort out what that means I would say incompatible use, rather than non-conforming.

Chairman Principi: General Hill?

General Hill: Terrific.

Chairman Principi: All right, so we have incompatible uses, is there a second.

General Newton: Second.

Chairman Principi: All in favor?

[A show of six hands].

Chairman Principi: All opposed?

[A show of one hand].

Ms. Sarkar: Mr. Chairman, the vote is six in favor, one opposed. Two recusals.

Mr. Bilbray: I think we need seven votes for that if I recall.

Chairman Principi: Change please.

Ms. Sarkar: The amended vote. The amended vote Mr. Chairman, is seven in favor, none opposed, and two abstentions. The motion is approved.

Chairman Principi: Very good. I have one further motion. I failed to include it when we were approving the Air Guard recommendations. It was not in the book. We

covered it. It's motion 115-4(a). Richmond Air Guard Station, and Des Moines International Air Guard Station.

Mr. Skinner: Second.

Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed.

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous the motion is passed.

Chairman Principi: Okay. I have a small additional motion. A motion to amend Navy recommendations 76 Navy Reserve Centers DoN-37. I move that the words Bangor Maine contained in Navy recommendations 76, Navy Reserve Centers, DoN-137 appearing at Chapter Two, Section 76 of the Bill be deleted. That the Commission find this change is consistent with the final selection criteria and Force Structure Plan. I assume this is something that has been agreed upon? Can you explain?

Mr. Hanna: Yes sir, If I may. When we closed the Reserve Centers, that particular one was supposed to move to Brunswick Naval Air Station. Brunswick we later closed. Naval Air Station Brunswick. So we're leaving it open.

Chairman Principi: Thank you. Is there a second.

General Newton: Second.

Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed.

[No response].

Ms. Sarkar: Mr. Chairman, if I may report out the vote. The vote was unanimous. The motion is approved. And for further clarification, did you have a second to this motion.

Mr. Coyle: I seconded.

Mr. Cirillo: The title of the paragraph is, Naval Reserve Centers.

Ms. Sarkar: Thank you Mr. Cirillo. Do you have suffix, 76-something you're introducing this amendment as?

Chairman Principi: Say again?

Ms. Sarkar: Mr. Chairman, are you introducing this amendment simply as amendment number 76, or have you assigned a number to it, 76 - something.

General Hill: 76-3 is what we just voted one.

Ms. Sarkar: Thank you very much.

Chairman Principi: I ask the approval of the Commissioners to authorize all eminently capable staff, and they are truly eminently capable to make corrections of a technical nature to the record of our proceedings. To make changes to conform. To substantive issues and resolve conflicts. These are all of a technical nature, and to conform the substantive issues and resolve conflicts.

Admiral Gehman: I second that.

Chairman Principi: All in favor?

[A show of nine hands].

Chairman Principi: All opposed.

[No response].

Ms. Sarkar: Mr. Chairman, the vote is unanimous your motion is passed.

Chairman Principi: That really completes -

Mr. Cirillo: There's one more Mr. Chairman, I believe, with regard to section 186, which is tech 19.

Chairman Principi: What is the amendment? I thought create and integrated weapons an armament specialty site for armaments and ammunition.

Mr. Van Saun: For clarification, I can give you a quick run down for the motion. This creates and integrated weapon arm, and specialty site for guns and ammunition. It's a clarifying motion, you passed the amendment yesterday, the language that we passed was unclear of exactly the moves intended by the Commission and the staff. The amendment before you clarifies that language to make sure that the right pieces end up in the right places. It's three components that were removed from the DoD recommendation in that amendment. One component was the special operations gun folks. And in Crane Indiana, one component was a large gun over water piece at Dahlgren, and

the other component was the energetic specialized. The energetics need to stay, a large component stays in China Lake because they make big explosions there. A small part was goes to the part existing in Indian Head needs to stay in Indian Head, and the part of done of energetics in Picayune New Jersey, needs to stay in Picayune the rest of the motion was carried to create the integrated weapons and armament specialty site for guns and ammunition.

Chairman Principi: Is there a second?

General Newton: Second.

Chairman Principi: All in favor.

[A show of nine hands].

Chairman Principi: All opposed?

[No response].

Ms. Sarkar: Mr. Chairman, the vote was unanimous, the motion succeeds.

Chairman Principi: Are there are any further motions or amendments to come this evening?

Mr. Cirillo: That would be all that we have.

Chairman Principi: Are there any other motions?

[No response].

Chairman Principi: The Commission will stand in recess until 9:00 a.m. tomorrow morning. For those Commissioners who can be here we will close out the business of the Commission and offer closing statements and

we should be completed.

General Newton: Mr. Chairman I'd like to have just one comment, and I want to align myself with you and just really say thanks to the staff, this is probably the last opportunity we may have in public to say thanks to the entire staff, they've done an extraordinary job for all of us and for the nation. And certainly have kept us on track during this process and I just want to say thanks to them on behalf of all of colleagues.

[Applause].

Chairman Principi: Thank you General Newton, your thoughts are shared by everyone. I plan to go on at some length tomorrow to thank the staff. I would expect they will all be here tomorrow morning. I hope as many Commissioners as can be, but I know some need to return to their homes. Are there any other closing comments by any Commissioners?

Mr. Skinner: Yes Mr. Chairman, I will not be here tomorrow, so I just want to take this opportunity to thank you for your leadership. You have been called to duty again after four wonderful years of service, in the last four for our country, and you certainly lead the Commission and the membership as well as the staff, and I think all of us in this country owe you a round of applause as well. Thank you.

[Applause].

Chairman Principi: Thank you very much. Thank you.  
I thank my fellow Commissioners. It's been an  
extraordinary privilege to serve with you on this  
Commission, it truly has been. Thank you all. Good night.  
Tomorrow morning, 9:00 a.m.

[Whereupon the meeting adjourned at 9:40 p.m.]

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is consistent with the Final Selection Criteria and Force Structure Plan.

Is there a second?

COMMISSIONER COYLE: Second.

CHAIRMAN PRINCIPI: Is there any further discussion on this amendment?

(No response.)

CHAIRMAN PRINCIPI: Are there any recusals on this amendment?

(No response.)

CHAIRMAN PRINCIPI: Hearing none, all those in favor of Motion 192-4a, please indicate.

(A show of hands.)

CHAIRMAN PRINCIPI: All opposed?

(No response.)

CHAIRMAN PRINCIPI: Counsel?

MS. SARKAR: Mr. Chairman, the vote is unanimous.

The motion carries.

CHAIRMAN PRINCIPI: Thank you.

Mr. Hanna.

MR. HANNA: Mr. Chairman, we now bring to the floor for discussion and vote chapter 11, section 193, close Naval Air Station Oceana, Virginia. Under this proposal, the master jet base will relocate to former Naval Air Station Cecil Field, Florida. The analyst for this

*Handwritten notes:*  
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Add as  
relocated  
to Cecil Field

action is Mr. Bill Fetzer.

(Slide.)

MR. FETZER: Thank you, Mr. Hanna.

The issue regarding Oceana is driven primarily by the encroachment of the Navy's Atlantic fleet and the master jet base and Oceana's outlying training field located in Chesapeake, Virginia and the training and safety implications of that encroachment. Several scenarios were considered to determine if there was in fact a cost-effective and suitable alternative for resolving the encroachment of Oceana. The options ranged from temporary solutions to long-range, permanent solutions and the costs ranged from \$180 million to \$1.8 billion.

The staff obtained DOD certified COBRA estimates for each option. Among the alternatives considered were: moving all or some of the F-18 squadrons to other locations to relieve the noise impacts; finding an outlying field that could be expanded to a new master jet base in the future; relocating to a new greenfield site; and finally, relocating to a site that was closed by a previous BRAC round. Cecil Field was offered by the state of Florida and the case for Cecil Field was also investigated.

The rationale for adding Oceana to the 2005 BRAC list was to examine the encroachment issues to understand how they affected the operational effectiveness of Oceana

and determine if there was a cost effective alternative for the Navy's Atlantic Fleet master jet base. The evidence is clear that NAS Oceana operations are affected by the development pressures associated with the operation of the base at Oceana in the middle of a popular resort area. As you have heard during many hours of testimony and base visits, the encroachment issues have been addressed and managed by succeeding generations of base commanders and community leaders, with some successes, but at also some costs, including suboptimum training, constrained flight profiles, and finally the cost of a more remote outlying field for more realistic training.

Additionally, the risks to civilians living and working in the accident potential zones increases with the intensity of the training cycles. Of course, there are always inherent risks whenever aviation operations are conducted, but the sheer volume and intensity of Navy jet operations conducted when squadrons are preparing for deployment are staggering.

The DOD COBRA results indicated that the one-time cost to move the master jet base to Cecil Field would be in excess of \$1.6 billion and the payback period would be greater than 100 years, with a net present value of \$1.919 billion. However, the Department did not take into account the significant amount of master jet base infrastructure

that remains at Cecil Field. That result will be provided later.

An environmental remediation program has been in effect at Cecil Field since 1999 and is nearly completed. The state of Florida and the Navy were cited by the Secretary of Defense as a success story for the defense environmental restoration program in 2003. They succeeded in delisting over 95 percent of the 17,000 acres from the national priorities list. \$16.9 million is estimated for completion of that program.

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(Slide.)

The issues depicted here relate to the final selection criteria. Unabated encroachment affects the operational readiness of the fighter wings and will cost them even more when two F-18 Super Hornet squadrons stand up at Cherry Point in the future. They will be separated from the rest of the Navy's strike wings and operating with an additional maintenance and administrative overhead.

There is greater concern that the Joint Strike Fighter will be even noisier than the Super Hornet and may not be able to be hosted at Oceana if the encroachment is not halted or reversed.

During previous BRAC rounds, Virginia Beach pledged to manage the encroachment, moving two schools

outside the APZ and rejecting some development plans to which the Navy objected. However, property rights issues in Virginia make it difficult for local governments to manage development, even with state laws in place enabling them to protect the local civilian and military air fields in their jurisdiction from encroachment.

Since the Navy left Cecil field in 1999, the state and local officials in the Jacksonville area continued to protect AICUZ zones around Cecil and White House, the outlying practice field still in use by the Navy. They took this action because they were redeveloping Cecil Field into a modern civilian and industrial aviation complex.

As mentioned earlier, the DOD COBRA did not include the Cecil Field infrastructure. 70 percent of the master jet base infrastructure still remains, including all the hangars, runways, and many of the newer admin and operations buildings, upgraded utility services, and road structures in and around Cecil Field. Additionally, older buildings were demolished to reduce the overhead costs of maintaining antiquated buildings.

A line by line adjustment of the 182 Navy requirements and other known costs resulted in a staff-estimated COBRA with one-time costs of \$410 million and a payback of 18 years, just about what one would expect for a

master jet base that was just moved out of 6 years ago.

Analysis shows that Cecil Field presents a unique opportunity for the Navy to acquire an Atlantic Fleet master jet base, a base where all the F-18 Super Hornet squadrons can be collocated to reduce overhead costs and maintenance and administration, a base where the fleet aviators could effectively train as they fight in all mission areas, including the most demanding at-sea landing profiles, 24 hours a day, 7 days a week, at the main airfield and the outlying field, and a base that could accommodate the future Joint Strike Fighter.

The relocation could also be completed within the BRAD window. Consequently, the staff assessment is that Cecil Field is a suitable alternative for the Atlantic Fleet master jet base.

Thank you. This concludes my analysis.

MR. HANNA: Mr. Chairman, we are standing by to answer the Commissioners' questions.

CHAIRMAN PRINCIPI: Thank you.

The Commission has before it Naval Air Station Oceana, Virginia. It's another installation the Commission added for consideration to the Secretary's list. Additional recommendation 3, Naval Air Station Oceana, Virginia, will appear at chapter 11, section 193, of the bill if approved by seven Commissioners.

Are there any questions for staff, any discussion on this issue? I will offer a motion momentarily.

COMMISSIONER SKINNER: It might be best if you offer the motion, Mr. Chairman, and then we can ask questions and discuss at the same time.

CHAIRMAN PRINCIPI: I move that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4, and 5, and the Force Structure Plan; that the Commission add to the list of installations to be closed or realigned the recommendation: realign Naval Air Station Oceana, Virginia, by relocating the East Coast master jet base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to enact and enforce legislation to prevent further encroachment of Naval Air Station Oceana by the end of March 2006, to wit, enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow air installation compatibility use zone, AICUZ, guidelines in deciding discretionary development applications for property in noise levels 70 dB day-night, average noise level DNL or greater; enact state and local

legislation and ordinance to establish a program to condemn and purchase all the property located within the accident potential zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ pamphlet published by the U.S. Navy; codify the 2005 final Hampton Roads joint land use study recommendations; legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in noise zones 70 DB DNL or greater for rezoning classification that would not allow uses incompatible under AICUZ guidelines; establish programs for purchase of development rights of the inter-facility traffic area between NAS Oceana and NALF Fentress; enact legislation creating the Oceana-Fentress Advisory Council, chapter 11, section 193 of the bill; and if the state of Florida appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida, appropriates sufficient funds to secure public-private ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation and turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department on or before December 31, 2006, if the Commonwealth of Virginia and the municipal government of Virginia Beach, Virginia, and Chesapeake, Virginia, decline

from the outset to take the actions required above or within 6 months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, failing to carry through with any of the actions set out above, whichever is later. The state of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the state of Florida and short-term tenancies consistent with the relocation of the master jet base to Cecil Field.

If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia, and Chesapeake, Virginia, fail to take all of the prescribed actions and the state of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include but are not limited to all of the Navy F/A-18 strike fighter wings, aviation operations and support schools, maintenance support, training, and any other additional support activities the Navy deems necessary and appropriate to support the operations of the master jet base, capability 11, section 193, of the bill; and that the Congress finds this additional recommendation is consistent with the Final Selection Criteria and the Force Structure Plan.

Additional statement of the Commission: The BRAC 2005 report language shall state: "It is the sense of the

Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS Oceana for closure or realignment. The longstanding and steadily worsening encroachment problem around NAS Oceana, without strong support from state and city governments to eliminate current and arrest future encroachment, will in the long term create a situation where the military value of NAS Oceana will be unacceptable degraded. The remedies presented to the Commission thus far have been unconvincing. It is also the sense of the <sup>Commission</sup> ~~Congress~~ that the future of naval aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high-density training evolutions to other bases that are much less encroached, such as Naval Outlying Field White House, Florida, or Kingsville, Texas.

"The Secretary of Defense is directed to cause a rapid, complete due diligence review of the offer of the state of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within 6 months from the date that the BRAC legislation enters into force and is to be made public to the affected states for comment. After review of the

states' comments, which shall be submitted within 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the state comments, and his recommendation on the location of the Navy's future Atlantic Fleet master jet base."

Is there a second?

COMMISSIONER COYLE: Second.

CHAIRMAN PRINCIPI: Is there any discussion on the motion?

COMMISSIONER SKINNER: Yes, Mr. Chairman. I think as I looked at this and looking at the discussions we've had with counsel, we've left some language out that I think everybody is aware of and I would move to amend your amendment, if that's the proper procedure. Let me describe the language and let's procedurally figure out how we handle it.

I would add to the language that starts on page 2, that starts "enact state and local legislation and ordinances to establish a program to condemn and purchase all of the property located within all the accident potential zone 1 areas for Naval Air Station Oceana, as described for 1999 AICUZ pamphlet published by the U.S. Navy," "and to fund and expand no less than \$15 million annually in furtherance of the aforementioned program."

May we take questions on the amendment? As you

recall, that was the discussion on the amendment.

CHAIRMAN PRINCIPI: Any further discussion?

COMMISSIONER SKINNER: No. I would move that your motion be amended to include that language.

COMMISSIONER HANSEN: Can I ask a question on that amendment, Mr. Chairman?

CHAIRMAN PRINCIPI: Counsel advises that we'll vote on the underlying motion, then we will vote on your second degree amendment to that underlying motion.

COMMISSIONER SKINNER: That's fine. I just wanted to make you aware I was going to make an amendment. If your amendment passes, then I'm going to make an additional amendment.

COMMISSIONER BILBRAY: Mr. Chairman, on your motion.

CHAIRMAN PRINCIPI: Yes.

COMMISSIONER BILBRAY: When it says "establish a program to condemn and purchase all the property," does that include property that's compatible with the AICUZ program? There are some uses that are compatible.

CHAIRMAN PRINCIPI: If the uses are compatible, they certainly would not have to be condemned. These would just be uses that are incompatible with those operations.

COMMISSIONER BILBRAY: Is that the correct interpretation?

CHAIRMAN PRINCIPI: Any further discussion?

General Newton?

COMMISSIONER NEWTON: Yes, Mr. Chairman. Mr. Chairman, first let me say that when -- the only reason that, from this Commissioner's mind, that this was added was because it was brought to our attention during testimony by the Department and by the services, and particularly by the United States Navy. This was not something that we went out seeking and looking for, but it was brought to our attention and it certainly is one that we needed to pay a lot of attention to, which we have.

We've listened to several individuals and a number of testimony that the situation which exists with naval aviation and training at Oceana today is fine and it does not degrade training. And this Commissioner is saying that is absolutely wrong. Any time you fly an alternate pattern of flight that is different from the flight manual, you degrade training no matter how small that may be.

In the critical nature at which our naval aviators work on and off the carrier, it is extremely important that they be able to fly and train in a way that does not prevent them from training as they're going to fight.

This unit was transferred from Cecil Field to Oceana during the BRAC process in 1993 and they arrived

there in '99. From all of the data which I have seen, I've seen nothing that the city has really done to prevent the encroachment of this airfield from that point until this station and this installation was added to the list, and immediately all kinds of activity started taking place to what I would say stall this process.

Next point I'd like to make. There have been quite a bit of discussion with the Navy about the importance of a master jet base and the Navy has repeatedly come back and said that that is required for its operation, and because so I accept the Navy's response to that. If that is true and the situation around Oceana as we've seen -- and I don't know whether we have the photos to put that up or not, but if we don't it's okay. And we've seen this encroachment at Oceana.

(Slide.)

Very good, thank you.

I find that even with the recommendation and the amendment which we are hoping to put forward, if we are not careful it will not have any significant impact on helping our aviators to ensure that they can train like they fight. Passing legislation and doing studies and all of that is just fine. However, until we move that would allow our naval aviators to fly the pattern, and in this case at 600 feet, just as they fly when they are at the carrier, we

will continue to add risk to their activities.

I find that, once again, the results of us adding this to the list and the response from the community of trying to do something at this point, I find that to be a delaying tactic such that this decision cannot be made. I say that we need to ensure that we hold this community feet to the fire so that if it does not respond in the time that we have indicated here that we move this operation from Oceana to Cecil Field.

Thank you.

CHAIRMAN PRINCIPI: General Hill.

COMMISSIONER HILL: I'd like to associate myself with all of General Newton's comments. My greatest concern from the moment we began discussing this has been one of safety. It is why we never let this fall off the table. It is why we continued to search for an alternative, a viable alternative to help the Navy through their problem.

We never thought of Cecil, just as the Navy did not consider Cecil in its original deliberations, because it was not a Department of Defense asset. But it is a viable alternative, as the staff has reported, as those two pictures reported, and as the visit that Secretary Skinner, General Newton and I made to Cecil Field.

The reality of life between Cecil Field and Oceana is as you fly the pattern at the required height,

not at additional height, you are always over trees inside Cecil Field operational areas. The reality of life for Oceana is as you fly the pattern at whatever height you are, you are flying over buildings, schools, churches, and shopping centers.

In good conscience, many of us up here have said we've got to do something about that because when the plane augurs into Lynnwood Mall I want to have at least had my say on this subject. So that's why, that's why we have not let this go by.

It has been suggested that it may not be for the BRAC to decide. I suggest to you that's exactly why there's a BRAC, to be able to raise these issues up for a lot of different reasons that were not brought up before. I think that the compromise language of this amendment allows us to fully explore something that should be explored, that must be explored.

10 years from now, 15 years from now, Oceana cannot be the future of navy aviation because that encroachment is not going to go away. You may halt it today, but it is not going to change. You can have it at Cecil Field or you can have it somewhere else. We think that -- in my view, in this Commissioner's view, we ought to put the Secretary of Defense and the people that are smarter than all of us at work finding a viable

alternative, and that's why I support the issue. It is a safety issue, not a noise issue.

COMMISSIONER SKINNER: Mr. Chairman.

CHAIRMAN PRINCIPI: Yes, Commissioner Coyle -- I'm sorry. Commissioner Skinner, yes.

COMMISSIONER SKINNER: Mr. Chairman, thank you. I think this Commission is fortunate that we have on the Commission General Newton and others who have a lot of knowledge about aviation, aviation safety, aviation mission planning. It's fortuitous, I think, that this issue comes, but I think it's a blessing in disguise.

I support fully what General Newton said. I'd like to just make a couple of observations. I had the honor to serve as Secretary of Transportation for 4 years. My primary role as Secretary of Transportation was safety, on the land, on the water, and most particularly in the air. I had the honor to lead the FAA, the Federal Aviation Administration, which is the leading agency in the world in aviation safety, and unfortunately I had to deal with some of the issues, some of the accidents that have happened in aviation safety that the General talks about.

I would make a couple of observations with that experience in mind. If this airport were a civilian airport, it would not be approved and be operating today. It is a military field and because of that certain leeway

is given. In Chicago we're building a new airport or expanding an existing airport and the first thing that we are doing is taking all the land and buying it up to make sure that all of the area around the O'Hare Field is safe.

Number two, it is clear that this is not, Oceana is not the long-term future master jet base for the Navy. The Navy has said that. It's obvious as you look at the future of the Navy that it will not be. As General Hill and General Newton pointed out, the planning for a master jet base is way behind where it should be.

Having been involved in the building of the only new airport in the United States in the last 15 years, Denver, deeply involved with the city of Denver and the state of Denver, I can tell you it is a huge task, not only from a funding but from an environmental issue. It is fortuitous that we have a field that was a major jet base in Florida that has not yet been converted to a mall, but in fact is an aviation facility that is basically zoned and sited for a major aviation facility, and just 5 years ago they were flying out of that field. It is an opportunity.

Having said that, there is a strong feeling among some members of the Commission that -- and I concur in it and will vote for the amendment -- that we owe one last chance to the people of Virginia to get their act together. We are hopeful that with all the language that has been

presented they will do so.

We have also asked and mandated that the Navy begin planning for a master jet base and accelerate it and report back to Congress on that, and they consider Cecil Field not only as an immediate solution but as a long-term solution along with others. It has been postponed too long and fortunately in the BRAC we are able to rise above politics and look at this issue from an objective viewpoint.

I would finally opine that if -- and we are putting in this motion, I believe -- I hope it carries. We will put in this motion language to mandate the spending of funds, substantial funds, as they've committed, to try to clean up the mess they have created. But as they look at it and if I were a policymaker in Virginia, and I would recognize that Oceana Air is not the long-term solution for the Navy's master jet base problems and it will inevitably come.

I would certainly, before I expended \$170 million to \$200 million plus forever on cleaning up the mess and allowed the Navy to spend \$150 to \$200 million on an auxiliary field with no infrastructure, I would think I would look positively on the opportunity to spend that money or spend a portion of that money and let the state of Florida and the city of Jacksonville and everybody else

spend the rest, well below \$1.6 billion, more in the area of \$500 million, and we're getting close to it if you put those numbers together, to solve this problem quickly.

But we can only suggest. We can only issue as strong a finding as we can. It's up to the Department of Defense and the people of Virginia to figure out what's in the best interest of the nation, what's in the best interest of the aviators that fly in harm's way every day, and what's in the best interest of the people that surround that field, who go to school there -- 27 schools.

I've seen in Chicago a fire and what it does to a school. We don't ever want that to happen, and I hope we have taken action that will allow the state of Virginia to make sure that that doesn't happen.

I will support the amendment. Thank you.

CHAIRMAN PRINCIPI: Commissioner Coyle.

COMMISSIONER COYLE: Thank you, Mr. Chairman.

Everyone at this table certainly knows that this is one of the most significant and challenging issues this Commission has faced in the 2005 BRAC round and we would not have arrived at the amendment that you have offered, Mr. Chairman, if it had not been for your leadership and for the leadership and hard work of all of the Commissioners, and especially the staff, who put in many long hours, days, nights, and weekends on this particular

matter, as well of course on many others.

So I just wanted to note the significant efforts that the Commission put in on this matter. Thank you.

COMMISSIONER TURNER: Mr. Chairman.

CHAIRMAN PRINCIPI: Yes, Commissioner Turner.

COMMISSIONER TURNER: Thank you very much, Mr. Chairman and ladies and gentlemen.

This has probably been one of the most difficult things that I as a Commissioner have had to deal with over the last several months. It certainly generated some of the largest amount of paper and calls and voicemails that have come my direction. But I have learned a lot about the Navy in the last 4 months and I thank my Navy colleagues on the staff for their assistance in that regard, from naval aviation to the P-3's up in the Northeast, to our newest submarine in the fleet, to what a Navy shipyard does. I feel like I've got a fairly good grasp of the Navy at this point.

But as a career Air Force officer, where flying safety becomes such an integral part of your being, you don't lose that just because you retire and go away from the active force. When there's something as serious as the encroachment issue at NAS Oceana, you can't -- you can't ignore it. You can't walk away from it, and you really want to do whatever you can to try to provide a good remedy

to the situation.

The encroachment at Oceana poses in my humble opinion such a threat, not only to the naval aviators but to the people of Virginia Beach. On the basis of that alone, I need to support the amendment that's put forward, and I very much want to associate myself with all the comments of my colleagues.

Thank you, Mr. Chairman.

CHAIRMAN PRINCIPI: Thank you, General Turner. I certainly share in the comments by my fellow Commissioners and urge that the Commonwealth of Virginia and the city of Virginia Beach will take appropriate action to arrest and correct some of the encroachment problems that are hindering adequate training for our young pilots.

At this point I will ask for a vote on the perfecting amendment by Secretary -- excuse me, I'm sorry.

COMMISSIONER NEWTON: Mr. Chairman, I'd like to just make one more comment. This question came up before with reference to the '93 BRAC, where these two installations are ranked. I went back and reviewed the '93 BRAC. It clearly said that Jacksonville had a higher military value than Oceana did -- Cecil Field, I'm sorry. Cecil Field had a higher military value than NAS Oceana. There were other reasons why the move was taken to Oceana, largely centered around the F-15, which is moving out of

the inventory.

CHAIRMAN PRINCIPI: Thank you, General Newton.

(Pause.)

CHAIRMAN PRINCIPI: Counsel advises that we'll vote on the underlying amendment and then, if the seven votes are in the affirmative, we will perfect the amendment with your amendment, Secretary Skinner.

COMMISSIONER SKINNER: I think that is the right way.

CHAIRMAN PRINCIPI: I will call for -- is there a second on the motion? I believe there was.

COMMISSIONER SKINNER: Second.

CHAIRMAN PRINCIPI: Are there any recusals?

(A show of hands.)

CHAIRMAN PRINCIPI: Two recusals.

All in favor of the motion? The motion as I stated it, all in favor please indicate.

(A show of hands.)

CHAIRMAN PRINCIPI: All opposed?

(No response.)

MS. SARKAR: Mr. Chairman, the vote is seven ayes, no nays, two recusals. Therefore the motion passes.

CHAIRMAN PRINCIPI: Thank you.

Secretary Skinner, will you please state your perfecting amendment.

COMMISSIONER SKINNER: Yes. I would add the following language to the motion: After the words "1999 A1CUZ pamphlet published by the U.S. Navy," to take period out and put in there "and to fund and expend no less than \$15 million annually in furtherance of the aforementioned program."

CHAIRMAN PRINCIPI: Is there a second?

COMMISSIONER NEWTON: Second.

CHAIRMAN PRINCIPI: All in favor indicate by raising your hand.

(A show of hands.)

CHAIRMAN PRINCIPI: All opposed?

(No response.)

CHAIRMAN PRINCIPI: There are two recusals.

MS. SARKAR: Mr. Chairman, the vote is seven yeas, no nays, two recusals. Therefore the motion passes.

CHAIRMAN PRINCIPI: Thank you.

That I believe completes work on the Navy BRAC recommendations. We will take a five-minute break and go to the Joint Cross Service. I want to thank the Navy team in its entirety for a job well done. Thank you very much.

(Recess from 1:49 p.m. to 2:03 p.m.)

CHAIRMAN PRINCIPI: Welcome back, Mr. Cook, Mr. Dave Van Saun, and Karl Gingrich, and we'll begin with the Joint Cross Service Group.



## Sarkar, Rumu, CIV, WSO-BRAC

---

**From:** Fetzer, William, CIV, WSO-BRAC  
**Sent:** Monday, August 29, 2005 10:52 AM  
**To:** Napoli, Andrew, CIV, WSO-BRAC  
**Cc:** Hanna, James, CIV, WSO-BRAC; Kessler, Michael, CIV, WSO-BRAC; Sarkar, Rumu, CIV, WSO-BRAC  
**Subject:** RE: 193 add Oceana findings  
**Attachments:** 193FINALfindings Oceana - napoli edit.doc

Andy, I reviewed your edit and it looks good. However, I would note that the paragraphs that you suggest eliminating - the Chairman read into the record on Wednesday during the hearing. They also "untied" DoD's hands to re-look at Cecil Field (since BRAC 93 closed Cecil) as a future MJB - no matter what happens to Oceana during the next 24 months. I will argue to leave paragraphs in.

Counsel is still reviewing the exact bill language to determine how the final outcome should read. Please be patient today as we sort this out.

Note that I made a few corrections that Rumu put in on Saturday afternoon. Some are format typos and some are important rewordings.

VR, Bill



193FINALfindings  
Oceana - napo...

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**From:** Napoli, Andrew, CIV, WSO-BRAC  
**Sent:** Monday, August 29, 2005 9:24 AM  
**To:** Fetzer, William, CIV, WSO-BRAC  
**Subject:** FW: 193 add Oceana findings

Bill:

Take a look at this edited version. Note some of the deletions that Chris Yoder made for the reasons below. If you are OK with this version, I'll accept the changes and turn this as final.

<< File: 193FINALfindings Oceana.doc >>

Andrew V. Napoli  
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**From:** Yoder, Charles, WSO-BRAC  
**Sent:** Sunday, August 28, 2005 4:01 PM  
**To:** Napoli, Andrew, CIV, WSO-BRAC  
**Subject:** RE: 193 add Oceana findings

I highlighted some of the material in "findings" that to my eye would give DoD a way out. It's not really "findings" and I'd leave it out.  
Chris

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**From:** Napoli, Andrew, CIV, WSO-BRAC  
**Sent:** Saturday, August 27, 2005 4:46 PM  
**To:** Yoder, Charles, WSO-BRAC  
**Subject:** 193 add Oceana findings

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<b>Title of Recommendation: Naval Air Station Oceana, Virginia</b>		
<b>Recommendation # 193</b>	<b>DoD Proposal</b>	<b>Commission Final</b>
<b>One-time Cost:</b>	None	\$410 million
<b>Savings: (FY2006-FY2011)</b>	None	\$220.7 million – Cost
<b>Return on Investment:</b>	None	\$33.4 million – Cost

**FINAL ACTION: XXXXXXXX****SECRETARY OF DEFENSE RECOMMENDATION**

None. The Secretary's proposed list submitted on May 13, 2005 did not include this facility. It was added by the Commission on July 19, 2005 for further consideration.

**SECRETARY OF DEFENSE JUSTIFICATION**

None.

**COMMUNITY CONCERNS**

The Virginia Beach, Virginia community places high value on the military's contribution to the community and fears the loss of over 11,000 direct jobs would devastate the local economy. The state has invested significant resources in improved roads around the base and moving schools out of the Accident Prevention Zones. They acknowledged noise complaints by a small, but vocal, minority of residents but pointed out that planning commissions are developing new community planning overlays to limit encroachment and reduce development in the Accident Potential Zones. They argued funds needed to implement the Commission's consideration to relocate the Master Jet Base to Cecil Field, Florida could be better spent on the Navy's more pressing needs. They believe the Navy has no better or affordable alternative than remaining at NAS Oceana and managing encroachment.

The Jacksonville, Florida community offered to return all of the former NAS Cecil Field property, improved and unencumbered - free and clear. Local governments are prepared to absorb and support the approximately 11,000 personnel that would be associated with the relocation of the Navy's Atlantic Fleet Master Jet Base to Cecil Field. The community has invested \$266 million to upgrade Cecil Field's infrastructure. All required base conversion activities, including a new or updated Environmental Impact Statement, can be completed within 4.5 years, allowing the Navy to establish and occupy a new Master Jet Base within the BRAC timeframe.

**COMMISSION FINDINGS**

The Commission found that significant residential and commercial encroachment had continued around NAS Oceana and NALF Fentress since the BRAC 1995 Commission had redirected F-18 aircraft and supporting assets from MCAS Cherry Point, NC and MCAS Beaufort, NC to NAS Oceana to take advantage of then existing excess capacity at NAS Oceana due to the retirement of A-6E aircraft. The Commission's independent analysis of the certified data found that the encroachment issue has a measurable and growing detrimental affect on the operations and training of the Navy's Atlantic Fleet Strike Fighter Wings, to the point that the future for NAS Oceana as a Master Jet Base is severely limited.

By contrast, the Commission's first-hand review and analysis indicated that Jacksonville, FL had taken effective and positive measures to protect the Air Installation Compatibility Use Zones (AICUZ) around Cecil Field, FL from encroachment.

The Commission found, by the seven vote supermajority required by statute, that the Secretary of Defense deviated substantially from the BRAC selection criteria by failing to consider NAS Oceana for closure or realignment. The serious long-standing and steadily worsening encroachment problem around NAS Oceana reduces the military value of the installation by preventing naval aviators from using the same maneuvers in practice that they would use at sea. Strong leadership and state and city government support will be needed to roll-back current, and halt future, development in accident potential zones that will, over the long term, create a situation where the already seriously eroded military value of NAS OCEANA will be steadily and unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing. In the view of the Commission, community casualties due to a serious aviation accident inside Accident Potential Zone One are only a matter of time - unless immediate and decisive action is taken to condemn and purchase these lands and properties.

It is also the clear and expressed sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached; such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

### COMMISSION RECOMMENDATIONS

The Commission finds that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, VA, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the force structure plan. Therefore, the Commission recommends the following: Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida, if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to reverse present encroachment and prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:

- enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level (DNL) or greater; and,
- enact state and local legislation and ordinances to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake to fund the condemnation and purchase of the property rights of all the property that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted in the 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and expend not less than \$15 million dollars annually for such purposes, none of which can come from federal funds; and,
- codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations; and,
- legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines; and,
- establish programs and dedicated state and local funding for the purchase of the property and related property rights of property that is incompatible under AICUZ guidelines located in the Inter-facility Traffic Area between NAS Oceana and NALF Fentress and enact legislation creating the Oceana/Fentress Advisory Council; and,
- it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the Cities of Virginia Beach and Chesapeake by the end of March 2006 have not been taken in their entirety unless the Comptroller General of the United States certifies in writing to the President and the oversight committees of Congress by June 1, 2006 that such actions have been taken; and,
- if the State of Florida:
  - appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida,

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The highlighted material below appears to me to be a weakening of the directive and specific language of the Commission recommendation. Its not a "finding" and I'd leave it out. -- Yoder¶

The Secretary of Defense is directed by the Commission to conduct a rapid, complete, due diligence review of the State of Florida's offer to allow the Navy to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the affected states for comment.

After review of the stakeholder states' comments, which shall be submitted within 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states' comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base.¶

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- appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation; and
- turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field; and
- it shall be deemed that the actions prescribed to be taken by the State of Florida and the City of Jacksonville by the end of December 2006 have not been taken in their entirety unless the Comptroller General of the United States certifies in writing to the President and the oversight committees of Congress by June 1, 2007 that such actions have been taken; and

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If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base.



Motion Number: 193-4A V1 (As Conformed)

A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
  - "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
  - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to reverse present encroachment and to prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:
  - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level (DNL) or greater; and,
  - enact state and local legislation and city ordinances, as appropriate, to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, to fund the condemnation and purchase of the property rights for all of the property that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes none of which can come from federal funds; and,

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- o codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations; and,
- o legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines; and,
- o establish programs and dedicated state and local funding for purchase of property and related rights of property that is incompatible with AICUZ guidelines and located in the Inter-facility Traffic Area between NAS Oceana and NALF Fentress; and enact legislation creating the Oceana/Fentress Advisory Council;" and,
- o it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, by March 31, 2006 will not have been taken in their entirety, unless the Comptroller General of United States so certifies in writing to the President and to the oversight committees of Congress by June 1, 2006; and,
- o if the State of Florida:
  - o appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida; and,
  - o appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation; and,
  - o turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field; and,
  - o it shall be deemed that the actions prescribed to be taken by the State of Florida and the city of Jacksonville, Florida, by December 31, 2006, will not have been taken in their entirety, unless the Comptroller General of United States so certifies in writing to the President and to the oversight committees of Congress by June 1, 2007; and,
  - o If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State

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of Florida meets all the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base." at Chapter XI, Section 193 of the Bill; and,

- o that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

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Further, this motion shall include an additional statement of the Commission:

The BRAC 2005 report language shall state:

"It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

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The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states' comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states' comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."

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OFFICIAL VERSION

*edited @  
Commission  
Motions + Technical  
Clarification*

Motion Number: 193-4A VI

A Motion to Make Additional Recommendation 3, Naval Air Station, Oceana, Virginia, to appear at Chapter XI, Section 193 of the Bill. Realigns Naval Air Station Oceana, Virginia Beach, VA by relocating the East Coast Master Jet Base to Cecil Field, FL, conditioned on prior actions by the State of Florida.

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved

Disapproved

I move:

- that the Commission find that when the Secretary of Defense failed to recommend the realignment of Naval Air Station Oceana, Virginia Beach, Virginia, he substantially deviated from Final Selection Criteria 1, 2, 3, 4 and 5 and the Force Structure Plan;
- that the Commission add to the list of installations to be closed or realigned the recommendation:
  - "Realign Naval Air Station Oceana, Virginia by relocating the East Coast Master Jet Base to Cecil Field, Florida,
  - if the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to enact and enforce legislation and ordinances to *and* prevent further encroachment of Naval Air Station Oceana and Navy Auxiliary Landing Field (NALF) Fentress by the end of March 2006, to wit:
  - enact State-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in Noise Level 70 dB Day Night Average Noise Level(DNL) or greater; and,
  - enact state and local legislation and city ordinances, as appropriate, to establish a program that requires the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, to fund the condemnation and purchase of the property rights for all of the property that is incompatible under the AICUZ guidelines located within all the Accident Potential Zone One areas for Naval Air Station Oceana and NALF Fentress as depicted for 1999 AICUZ Pamphlet published by the U.S. Navy and to appropriate and spend \$15 million dollars annually for such purposes none of which can come from federal funds; and,

*Tech clarification*  
reverse present encroachment

\* add this phrase to  
clarify:  
"of ~~incompatible~~ <sup>incompatible</sup> property ~~document~~  
incompatible under ~~the~~  
~~the~~ AICU 2 guidelines and  
located in the . . . ."

- o codify the 2005 Final Hampton Roads Joint Land Use Study (JLUS) recommendations; and,
- o legislate requirements for the cities of Virginia Beach and Chesapeake to ensure that undeveloped properties in Noise Zones 70dB DNL or greater are rezoned to not allow uses incompatible under AICUZ guidelines; and,
- o establish programs and dedicated state and local funding for purchase of property and related rights ~~of~~ <sup>and</sup> the Inter-facility Traffic Area between NAS Oceana and NALF Fentress, ~~enact~~ <sup>and</sup> legislation creating the Oceana/Fentress Advisory Council;" and,
- o it shall be deemed that the actions prescribed to be taken by the Commonwealth of Virginia and the cities of Virginia Beach and Chesapeake, respectively, by the end of March 2006 have not been taken in their entirety unless the ~~Chairman of the 2005 Base Closure and Realignment Commission~~ <sup>Comptroller of the Government Accountability Office</sup> certifies in writing to the President, ~~by April 15, 2006;~~ <sup>June 1</sup> and, ~~and oversight committees of Congress~~
- o and if the State of Florida:
- o appropriates sufficient funds to relocate commercial tenants presently located at Cecil Field, Florida; and,
- o appropriates sufficient funds to secure Public Private Ventures for all the personnel housing required by the Navy at Cecil Field to accomplish this relocation; and,
- o turns over fee simple title to the property comprising the former Naval Air Station Cecil Field, including all infrastructure improvements that presently exist, to the Department of Defense on or before December 31, 2006, if the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia decline from the outset to take the actions required above, or within six months of the Commonwealth of Virginia or and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia failing to carry through with any of the actions set out above, whichever is later. The State of Florida may not encumber the title by any restrictions other than a reversionary clause in favor of the State of Florida and short-term tenancies consistent with the phased relocation of the Master Jet Base to Cecil Field; and,
- o If the Commonwealth of Virginia and the municipal governments of Virginia Beach, Virginia and Chesapeake, Virginia fail to take all of the prescribed actions, and the State of Florida meets all the conditions established by this recommendation, the units and functions that shall relocate to Cecil Field will include, but are not limited to, all of the Navy F/A-18 Strike Fighter Wings, aviation operations and support schools, maintenance support, training and any other additional support activities the Navy deems necessary and appropriate to support the operations of the Master Jet Base." at Chapter XI, Section 193 of the Bill; and,

See note \*

"and"

Comptroller of the Government Accountability Office

June 1

and oversight committees of Congress

add GAO certification language by June 1, 2007

- o that the Commission find this additional recommendation is consistent with the Final Selection Criteria and Force Structure Plan.

Further, this motion shall include an additional statement of the Commission:

The BRAC 2005 report language shall state:

"It is the sense of the Commission that the Secretary of Defense deviated from the BRAC criteria by failing to consider NAS OCEANA for closure or realignment. The long standing and steadily worsening encroachment problem around NAS OCEANA, without strong support from State and City governments to eliminate current and arrest future encroachment, will in the long term, create a situation where the military value of NAS OCEANA will be unacceptably degraded. The remedies presented to the Commission thus far have been unconvincing.

It is also the sense of the Commission that the future of Naval Aviation is not Naval Air Station Oceana. The Commission urges the Navy to begin immediately to mitigate the noise encroachment and safety issues associated with flight operations around the Virginia Beach area by transitioning high intensity training evolutions to other bases that are much less encroached such as Navy Outlying Field Whitehouse, Florida or Kingsville, Texas.

The Secretary of Defense is directed to cause a rapid, complete, due diligence review of the offer of the State of Florida to reoccupy the former NAS Cecil Field and to compare this review against any plan to build a new master jet base at any other location. This review is to be completed within six months from the date the BRAC legislation enters into force, and is to be made public to the effected states for comment.

After review of the states' comments, which shall be submitted with 120 days after publishing the review, the Secretary of Defense shall forward to the oversight committees of Congress the review, the states' comments and his recommendation on the location of the Navy's future Atlantic Fleet Master Jet Base."

*in the Commission findings in the final report.*



## OCEANA TALKING POINTS

1. Oceana is clearly encroached
  - ~~The~~ Virginia Pilot<sup>22</sup> Aug, 2005 reported that the City of Virginia Beach estimates that 4800 homes already exist in accident-potential zones around Oceana.
2. The remedy is difficult to accomplish because of:
  - land use rights
  - newer, louder aircraft ~~being~~ such as Super Hornets and Joint Strike Fighters are coming.
3. Training and safety are affected
4. Readiness of Atlantic Fleet Squadrons and future basing are in jeopardy.
5. Cecil Field provides a unique opportunity to resolve the Navy's problems now and for the future

A