

U.S. ARMY REGIONAL ENVIRONMENTAL & ENERGY OFFICES

FISCAL YEAR 2018 ANNUAL SUMMARY REPORT

REEO MISSION

The U.S. Army Regional Environmental and Energy Offices (REEOs) represent Army and DOD environmental and energy interests at the state and regional level to support and advocate for military missions and facilities.

Each office is led by a REEO Director, who serves as the DOD Regional Environmental Coordinator (REC) for an assigned EPA region.

LEGEND

- Army is DOD REC in Regions 4, 5, 7, & 8
- Navy is DOD REC in Regions 1, 3, & 9
- Air Force is DOD REC in Regions 2, 6, & 10



Region 2 includes Puerto Rico and U.S. Virgin Islands
 Region 9 includes Guam and American Samoa

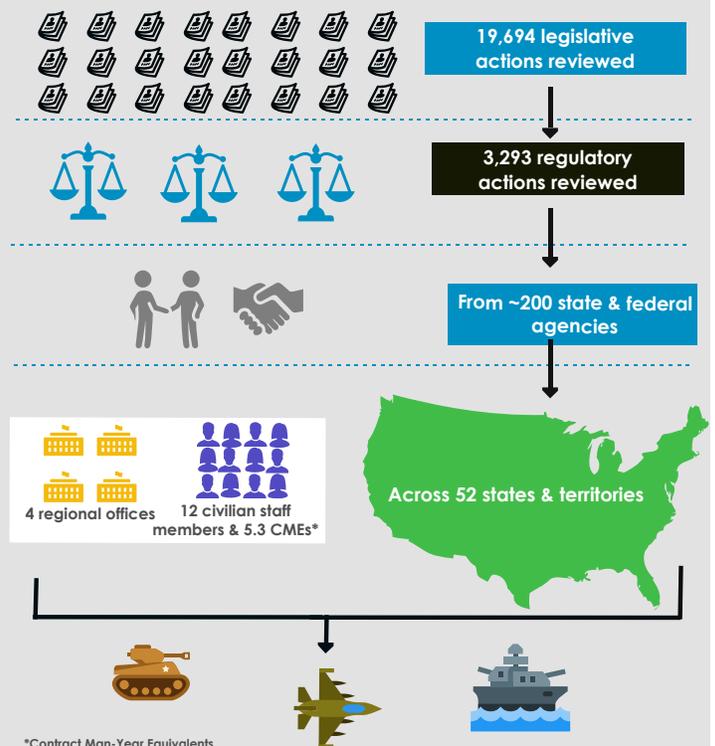
SUPPORTING ARMY & DOD MISSION

The REEOs ensure close coordination between military and regional policymakers, resolving potential mission impacts before adverse proposals become laws or regulations. Key activities include:

- Monitoring and reporting on state legislative and regulatory activities that could affect installations' abilities to perform their missions
- Developing consolidated DOD responses to state and federal regulators
- Engaging state legislators, federal and state regulators, and non-governmental organizations to advance Army and DOD interests
- Sustaining military readiness by maintaining partnerships with states and federal agencies

The REEOs execute the DOD REC mission assigned under DODI 4715.02 to advance Army and DOD interests in state legislative and regulatory actions, support Army activities, and support Army energy program initiatives.

Fiscal Year 2018 Activity



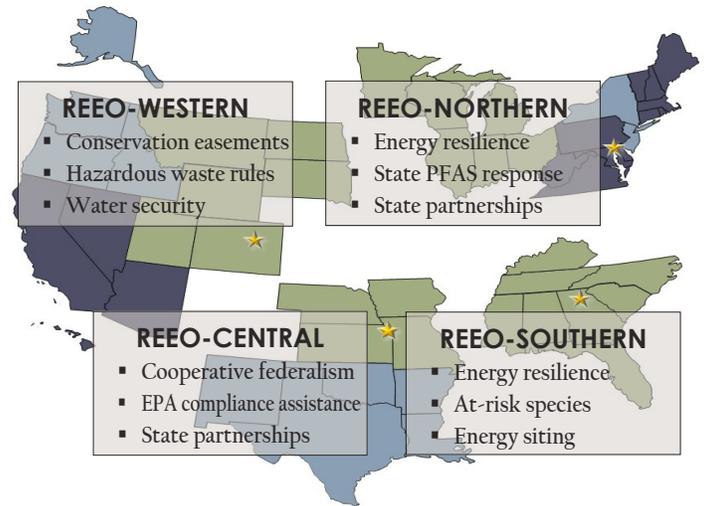
In support of military readiness & mission sustainment

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REGIONAL HOT TOPICS IN FY18

The REEOs serve as “eyes and ears” for Army and DOD leadership on state regulatory and legislative trends. The map at right highlights some of the regional hot topics in fiscal year 2018.

As a result of REEO monitoring of nearly 23,000 state regulatory and legislative actions and communication with state policymakers, the REEOs alerted state and federal stakeholders to 3,378 legislative and regulatory issues of interest in their monthly regional Review publications in FY18.



TOPICS TO WATCH IN FY19

REEOs are tracking these and other issues that may pose concerns for DOD facilities and operations.

TOPIC	SIGNIFICANCE TO ARMY	REEO ACTIONS
Per- and polyfluoroalkyl substances (PFAS)	PFAS were previously used in fire fighting foam both on and off military installations; with no federal cleanup standards, some states are setting their own	Coordinating with the services to comment on state PFAS regulations; communicating how installations are addressing PFAS
Regional EPA compliance assistance outreach	With cooperative federalism in full swing, regional EPA offices are more interested in helping states and installations achieve compliance	Using established relationships with EPA to set up compliance assistance visits and training at military installations
Water quality	Some states are setting their own health advisory levels for lead, copper, and cyanotoxins, and setting their own public water treatment system requirements	Engaging state policymakers about water quality concerns; informing installations of evolving compliance requirements
Conservation easements	Some states want to limit easements to increase tax revenue; limits on easements could lead to noise complaints and restrictions on military training	Contesting state efforts to undermine programs that protect military assets from encroachment
Water and energy resiliency	Extreme weather events have potential to affect installation water and energy supply from off-post sources	Educating states on Army’s goal to make installations self-sufficient for at least 14 days without off-post water or power

FACILITATING COMPLIANCE THROUGH PARTNERSHIPS

The REEOs worked with DOD and component RECs to build or re-energize DOD-state partnerships to help installations remain current with water, soil, and other rules, and provide a forum for installations to solve specific problems and expedite solutions.

REEO-Northern established new partnerships with state environmental regulators in Indiana, Ohio, and Wisconsin. REEO-Northern re-energized partnerships with Maryland, Pennsylvania, and Virginia.

The partnership in Indiana resulted in the successful submittal of the risk assessment for Naval Station Warfare Center Crane, part of the permit application for open burning/open detonation operations.

As a result of partnerships with work groups in New York and New Jersey, REEO-Northern met with policymakers and installation representatives to discuss collective efforts to respond to PFAS releases.

Additionally, REEO-Central co-facilitated a meeting with the Texas Environmental Partnership (TXEP) to focus on military compliance issues in the state. TXEP is the REEOs’ longest-running DOD-state partnership.

REEO-Western hosted an Arizona Installation Environmental Managers Roundtable, giving managers the opportunity to talk about strategies for meeting regulatory compliance requirements. Arizona environmental regulators later joined the group to answer questions, helping to reveal and resolve issues on the spot.

SUPPORTING ENERGY INITIATIVES

REEO-Southern provided the military perspective on wind energy development at the 2018 Southeast Wind Conference in Georgia, highlighting the DOD Siting Clearinghouse process for assessing mission compatibility, and encouraging states to create rules that require developers and energy project owners to obtain a DOD compatibility assessment as part of the permitting process.

REEO-Southern contributed to the Siting Clearinghouse's discussions with Southern Company in Georgia to explain effects of tower siting decisions and how those can be mitigated with early dialogue. Additionally, REEO-Southern served on a panel to discuss legislative activities and studies on energy development impacts on military operations at the 2018 North Carolina Energy Conference.

REEO-Western and service RECs proposed language for California Senate Bill 854, to allow military installations to participate in the Net Metering 2.0 program in the same way as other industrial customers. The governor signed the bill with that language. Installations in the state now may receive compensation for exported energy, with no cap on project size. The impact of the bill's passage was magnified when the governor signed a landmark clean energy bill requiring 100 percent carbon-free power by 2045.

REEO-Northern submitted comments coordinated by DOD REC 1 and the Siting Clearinghouse in response to a Rhode Island bill that would amend the state's Energy Facility Siting Act. DOD comments requested coordination with DOD be included in the bill. Recognizing the need for more study of the impacts of siting decisions before taking legislative action, Rhode Island withdrew the bill.

TRACKING STATE PFAS RESPONSE

The REEOs tracked state legislative and regulatory actions related to PFAS in Michigan, Alaska, Pennsylvania, North Carolina, Washington, and Massachusetts, and engaged as necessary with state officials. The REEOs attended two U.S. EPA PFAS community sessions and are tracking Environmental Council of the States (ECOS) PFAS actions. Additionally, the REEOs are tracking state activity to regulate PFAS under the Clean Water Act, designating PFAS as hazardous substances and combining six PFAS compounds to lifetime health advisory limits.

STRENGTHENING REGIONAL STRATEGIES

REEO-Southern, as DOD REC 4, is a principal member of the Southeast Regional Partnership for Planning and Sustainability (SERPPAS), along with several federal agencies and six southern states. In 2018, SERPPAS worked to implement collaborative solutions to challenges of encroachment around military lands, at-risk species and habitat protection, prescribed fire, coastal resiliency, and energy development. The partnership directly supports the Secretary of Army's objectives to strengthen alliances and build military readiness.

REEO-Southern is also a principal member of the Southeast Natural Resource Leaders Group (SENRLG), a high-profile strategic affiliation of 13 regional federal agency leaders. SENRLG's focus in 2018 was on collaboration opportunities on regional ecosystem/landscape initiatives, and to improve regional emergency response coordination. REEO-Southern helped the USACE South Atlantic Division and National Oceanic and Atmospheric Administration showcase their Egmont Key erosion control project to SENRLG members.

MISSION READINESS THROUGH PARTNERSHIPS

Through successful implementation of strategic engagements, the REEOs are developing and strengthening these regional and state partnerships in support of military readiness and sustainability.

- EPA Regions 3 and 4 Tiered Restoration Partnerships
- EPA Region 5 Cleanup Collaborative
- Southeast Regional Partnership for Planning and Sustainability (SERPPAS)
- Southeast Natural Resource Leaders Group (SENRLG)
- Southeast Conservation Adaptation Strategy (SECAS)
- Western Regional Partnership
- Chesapeake Bay Partnership
- Sustainability Partnerships between DOD and Indiana, Ohio, and Wisconsin
- Texas Environmental Partnership
- Oklahoma Military Environmental Group
- New Mexico Environmental Partnership
- Regulatory Environmental Group for Missouri
- Alaska Statement of Cooperation
- Nevada Joint Military Affairs Committee

SERVING AS A FORCE MULTIPLIER

As a result of years of engagement, REEO-Western and the Air Force successfully added DOD language to Alaska Senate Bill 64, Uniform Environmental Covenants Act, which the state passed in 2018. Without the language added to the bill, Alaska would have required DOD to regulate the use of real estate prior to disposing of it, a violation of federal property law. The language may serve as a template for such bills in other states.

REEO-Central testified in support of a Missouri bill that would allow regulation of land use around National Guard training centers. After REEO-Central's testimony to the legislative committee, the Legislature recognized the impact of encroachment on military training, and specifically, on Camp Crowder. The bill passed and was signed into law.

A Missouri bill would have required state approval for acquisition of land by the U.S. and could have negatively impacted a federal project in St. Louis. REEO-Central engaged with Air Force and Missouri Economic Development officials, including the governor's military liaison, to ensure the bill did not progress. The bill died.

In the Georgia Legislature, the Senate proposed a bill to create the Georgia Joint Defense Commission, modeled after similar commissions such as the North Carolina Commanders' Council. REEO-Southern, as DOD REC 4, recognized the new Georgia commission as a positive development that would be another outreach venue to address DOD issues. REEO-Southern submitted letters of support for the bill, it passed both chambers, and the governor signed it.

In Utah, REEO-Western closely tracked Bureau of Land Management efforts to expedite approval of changes to resource management plans. The plans were originally designed to protect habitat of the greater sage-grouse but are being amended to align with state efforts. REEO-Western is advocating for plan amendments to address DOD mission concerns as well as maintain healthy populations of greater sage-grouse.

PROTECTING CONSERVATION EASEMENTS

The REEOs continued to engage with state legislators who chair environmental committees. Beyond building important relationships, these meetings helped educate legislators on how pending bills can impact the DOD mission. Such engagements are critical; most often, the legislators are unaware of the effects on DOD when they propose new bills.

When the Kansas Legislature introduced House Bill 2452, a bill to limit conservation easements associated with waterway restoration projects, REEO-Central coordinated with the USACE Kansas City District to oppose it. After the testimony was presented, the bill died in committee.

Five conservation easement bills were proposed in the Colorado Legislature in 2018, including bills to limit the duration of easements, impose moratoriums on landowners to claim state income tax credits for lands donated to the easement program, and eliminate the state conservation easement program. REEO-Western engaged with component services, nonprofit organizations, and Colorado legislators to discuss the importance of conservation easements to help avoid encroachment on military training. The state ultimately passed a bill extending the current conservation easement program for one year.

After the 2017 Arizona legislative session and at the urging of the DOD and Army RECs, the Arizona governor vetoed a bill that would have hindered DOD from acquiring conservation easements. Early in 2018, a DOD REC team met with members of the Arizona Legislature to underscore DOD's opposition to similar bills. The RECs were successful, as none of the easement legislation introduced in 2018 presented risks to DOD's ongoing effort to conserve land near installations.

FOR MORE INFORMATION

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Visit the USACE REEO Web page: <https://go.usa.gov/xnxtb>

