

**STATEMENT OF
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BEFORE THE

**COMMITTEE ON ARMED SERVICES
READINESS SUBCOMMITTEE
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Introduction

Mr. Chairman, members of the committee, I am delighted to have this opportunity to address you today on the growing challenges that encroachment poses to force readiness. As the Air Force's Vice Chief of Staff, I want to thank you for your continued focus on the resource challenges facing our airmen today. The Air Force is dedicated to maintaining a ready force while protecting our natural resources. We are committed environmental stewards and do not believe that military readiness and environmental stewardship are mutually exclusive--in fact, they can go hand in hand.

Our installations, ranges, and training airspace are critical national assets that allow the Air Force to test equipment, develop new tactics, and train our forces to be combat-ready. Access to these resources is increasingly threatened by urban and commercial growth and is often restricted or limited by regulations or local laws designed to conserve resources and manage economic development. At a time when increased OPSTEMPO, aging equipment, and personnel challenges are threatening our readiness, it is critical that we protect these valuable resources we need to train our airmen and to develop new weapon systems.

The loss or restricted use of combat training ranges and operating areas forces us to find workarounds or to delay and reschedule needed training. These constraints inhibit our ability to "train as we fight," degrade our combat readiness, and will eventually limit combat forces to fight only as they have trained. In the past, the Air Force dealt with

encroachment issues by modifying operations, financing mitigation, or both. As pressures continue to grow, managing the operational and financial risks without compromising our mission becomes increasingly difficult and costly. Without action, we expect to see a continuing erosion of the training environment.

The Air Force, with all the Services, is committed to addressing these challenges. We are confident in our ability to provide the necessary balance between operational needs and environmental protection. We have a strong record of doing so. Our leadership in environmental management has ensured resources entrusted to the Air Force are sustained and restored to the condition needed for future generations. Our lands offer excellent wildlife habitat; our environs attract development and competition for clean water and clear air.

The Air Force has made it a priority to identify and quantify the resources needed to support mission requirements, and to measure and communicate the impacts of encroachment on mission readiness. The Readiness and Range Preservation Initiative (RRPI) will provide needed clarification to specific environmental statutes and protect access to our training resources while continuing to protect the environmental resources so valuable to us and the Nation. Last year, Congress adopted three of the original eight RRPI provisions providing us with additional options to address land development near our installations, new opportunities to transfer surplus land, and relief from Migratory Bird Treaty Act liability for take of birds incidental to readiness activities for one year while we work with the Department of the Interior on a longer lasting regulatory fix. We need the remaining provisions to ensure our continued preparedness.

Encroachment

Encroachment is the result of any and all outside influences that inhibit necessary training and testing. There are myriad causes. Competition for airspace in and around military installations from commercial and general aviation can limit test and training activities. Conservation of natural resources such as cultural resources, restrictions on noise levels, caps on air emissions, and efforts to protect endangered or threatened species can be restrictive. Potential new Critical Habitat designations could restrict installation or range use and development. For example, without clarification, we are facing acreage restrictions on portions of Beale AFB, F.E. Warren AFB, and Andersen AFB. A Critical Habitat designation would restrict all of Travis AFB. We are also experiencing increasing competition with commercial users for radio frequency spectrum, interfering with our command, control, communications, computer, intelligence, surveillance, and reconnaissance (C4ISR) and possibly impacting the next generation of weapon systems that depend on that data.

We remain concerned about the future impacts of encroachment on our ability to test and train. New systems, like our standoff weapons and next generation aircraft, require more airspace and greater range access. Unfortunately, we cannot simply train somewhere else. Our existing ranges support a significant infrastructure of testing and training areas, targets, instrumentation, and other investments -- the costs involved in relocating would be enormous. Maintaining existing ranges with adequate room to maneuver and the ability to drop live-fire ordnance is essential to maintaining our combat edge.

The Air Force has a comprehensive strategy to address these encroachment issues. We identify and quantify the resource base required to perform the Air Force mission and then quantify the readiness impairments resulting from any limitations on the resource base. We work with other federal resource management agencies to develop regulatory or administrative improvements, and we dialogue with state, tribal, and local governments and other interested organizations. If necessary, we seek statutory modifications to prevent these unintended impacts to military readiness.

RRPI seeks to do just that. For the most part, we are seeking definitional clarifications, application of environmental requirements in more appropriate balance with readiness requirements, and, in some cases, time extensions to fulfill our requirements. Narrowly defined, RRPI seeks to address only those regulations that specifically impact readiness training.

For example, the Air Force's access to and management of our valuable resources is often controlled or limited by courts and other governmental agencies that apply existing laws, statutes, and regulations in ways that limit military readiness. In some cases, there are laws that, depending on the manner in which they are interpreted, may contradict one another. Case in point, the Sikes Act states that military needs are the primary land use consideration, while the Endangered Species Act (ESA) requires agencies to utilize their authorities to conserve listed species and their habitat. As a result, there are currently several legal challenges that threaten to overturn the Department of the Interior (DOI) policy of using the Sikes Act planning process to substitute for critical habitat on some military lands. The Air Force would like to use

Integrated Natural Resource Management Plans in place of critical habitat designation under the ESA.

Cases like this demonstrate the needed clarification the RRPI provides. There are more. We need time extensions to comply with State Implementation Plans in the Clean Air Act. Further clarification of the circumstances in which explosives, unexploded ordnance, munitions and their fragments, are included in the definition of “solid waste” when used on operational ranges is needed. Similarly, additional clarification is needed with respect to those items and the definition of “release” under the Comprehensive Environmental Restoration, Compensation, and Liability. These and other reasonable steps will ensure that military training and readiness are not compromised as we carry out our environmental protection responsibilities. The relief will allow us to direct our budget and priorities towards sustaining environmental resources and to spend less of our limited environmental funding on litigation, administration, support, studies, and investigations.

The following is illustrative of our environmental commitment and the associated operational challenges in the areas of species and habit protection, unexploded ordnance removal, air quality, and spectrum allocation.

Species and Habitat Protection

Currently, 78 federally listed threatened and endangered species live on approximately nine million acres of Air Force property for which the Air Force provides measures of habitat and species protection. As an example, we track the movement of Sonoran Pronghorn on the Barry M. Goldwater Range (BMGR) in Arizona. The DoD

flies about 70,000 sorties yearly on the BMGR, and our biologists monitor the BMGR target areas for Pronghorn movements. If any are spotted within a two-hour period prior to bombing, the live missions projected for that area are diverted or canceled. Working hand-in-hand with the U.S. Fish and Wildlife Service (FWS) and the Arizona Department of Game and Fish, we strive to ensure the survival of this endangered subspecies of Pronghorn.

At the Nevada Test and Training Range (NTTR), operated by Nellis Air Force Base, the Air Force supports the Bureau of Land Management's wild horse program on over 390,000 acres of the NTTR. In the southern portion of the range we have fenced target areas to ensure the endangered Desert Tortoise population is not affected by our operations. Additionally, in Nevada and Arizona we work with local communities and Tribal Governments to ensure the protection of cultural resources. We can do all of this and still meet our training requirements.

At Tyndall Air Force Base in Florida, we monitor the nests of about 100 threatened Loggerhead and endangered Green Sea Turtles daily, physically protecting their homes with wire mesh. We do this to ensure compliance with the ESA.

At Eglin Air Force Base in Florida, we electronically tag and track endangered Gulf Sturgeon to ensure they are not impacted by our operations. The water impact/detonation area is monitored for sturgeon prior to training. If sturgeon are detected in the area, detonation is moved or delayed. Eglin also serves as a home to the endangered Red-Cockaded Woodpecker. By working closely with the FWS, we have been able to nearly double their population. Additionally, our biologists are doing

everything possible to aid the threatened Flatwoods Salamander and the threatened Eastern Indigo Snake.

We do these initiatives to support the ESA and serve as good stewards of our nation's resources while at the same time, maintain our commitment to combat readiness. However, good stewardship incurs significant costs. For example, the Air Force spends \$300,000 annually to track Pronghorn movements at BMGR and is preparing a 10-year, \$35 million study of endangered bird species in New Mexico, Texas and Arizona.

In some cases, our installations and ranges are the only large, undeveloped, and relatively undisturbed areas remaining in growing urban areas. This can result in Air Force lands becoming the sole area in the region that can support endangered species. Biological Opinions resulting from our obligations under the ESA have imposed range and airspace restrictions mainly associated with aircraft noise and munitions use. We operate with altitude restrictions because of the noise and its possible effects on endangered species in states such as Arizona, Idaho, New Mexico, and Texas.

The potential designation of installation or range areas as a critical habitat or marine sanctuary may seriously limit our ability to perform training and test missions. For example, a critical habitat designation for six species, including three species of shrimp and two grasses, on Travis AFB could restrict 100% of the installation and impede/stop plans to beddown C-17 aircraft. At Andersen AFB on Guam a critical habitat designation for the Guam Rail, Micronesian Kingfisher, Guam Fruit Bat, and Mariana Fruit Bat could restrict 67% of the installation.

Unexploded Ordnance (UXO)

We have extensively examined our practices and policies for the disposal of UXO and associated residue material (primarily scrap metal) on operational ranges. UXO and range residue (used targets, inert ordnance, etc.) physically occupy only a small part of any air-to-ground range, but their presence is an increasingly expensive problem. The costs associated with cleaning up closed ranges have led us to the conclusion that we need to plan and manage for the entire life-cycle of a range.

The Air Force first started clearing ordnance from active ranges in the late 1940's. Today, active range clearance provides for safe target area operations, while clearing live-drop operational ranges provides airfield-recovery training for our Explosive Ordnance Disposal technicians. Air Force policy requires that active air-to-ground ranges be cleared on a quarterly, annual, and five-year basis at varying distances from each target. Our currently scheduled UXO and residue removal program, along with modifications to our range-clearing practices, will ensure long-term range sustainability and the safety of personnel on the range. Our ultimate goal is to manage our ranges effectively and efficiently throughout the life-cycle process providing for sustainable operations, safe and effective UXO management and long-term environmental stewardship.

The Air Force understands its responsibility to manage material from our ordinance if it travels off-range, and supports the RRPI legislation that helps to clarify our obligation to respond to potential off-site impacts from our munitions training.

Air Quality

Many of our largest and most important installations are located in areas that are experiencing rapid growth and the attendant pressures resulting from air quality standards. A number of our installations are currently located in “non-attainment” areas, which are places that failed to meet EPA standards for air pollution, and more bases are in areas that are trending toward non-attainment. Air quality pressures generally affect operations at our installations more than on our ranges, but they potentially limit our basing options for force realignments and weapon system beddowns. If any beddown action is found not to conform to the state implementation plan for Clean Air Act compliance, the Air Force must either obtain air quality credits or reduce other emissions at the base to counterbalance the impact.

The Air Force supports the RRPI legislative provision that allows for conformity with each state’s air quality implementation plan, including emissions limits, over a three-year period so that mission critical readiness activities can still take place while the steps necessary to achieve conformity are completed. We continue to work with state regulators and local communities to ensure we have the flexibility to base aircraft at our installations which have huge investments in infrastructure not only on the installation itself, but also in the ranges used by its aircraft.

Spectrum Reallocation

The RF frequencies below about 5000 MHz are the most valuable part of the spectrum for the kinds of highly mobile functions carried out at our test ranges. Over the past decade, the Federal government has lost access to over 235 MHz of bandwidth

in this part of the spectrum -- due primarily to International and Congressionally mandated reallocations. For example, until 1992, the DoD and private sector aerospace industry were authorized to use 80 MHz of designated spectrum in "Upper-S Band" to transmit real-time telemetry data from flight tests of manned aircraft. This spectrum bandwidth was needed to support increasing telemetry bandwidths requirements for future fighters and bombers. In 1992, the World Radio Conference (WRC) reallocated the lower 50 MHz of this frequency band to provide spectrum for broadcasting high quality audio from geostationary satellites. In 1997, under the requirements of the Balanced Budget Act of 1997, we were forced to transfer an additional portion of this frequency band, leaving us with only a 25 MHz increment for flight test telemetry in this spectrum. Although the recent National Telecommunications and Information Administration (NTIA) Advanced Mobile Wireless Viability Study agreement between the NTIA and Federal Communications Commission will restore a limited portion of this bandwidth, further loss of this spectrum could impact our flight-test programs, increase test costs, and threaten our future telemetry needs.

Conclusion

I thank the Committee for this opportunity to address our concerns and to outline workable solutions that will guarantee continued readiness while preserving our natural resources. The Air Force understands its obligation to identify competing defense and environmental needs and to establish a compatible use of resources. At the same time, we are committed to giving our airmen both the resources and the training they need to succeed in combat. We owe them no less. This requires a realistic training environment that approximates the combat environment. It requires cutting-edge

weaponry that will overwhelm our enemy's capabilities. Let me be clear, when opportunities to test and train are reduced, our readiness and effectiveness are reduced. Without appropriate relief from encroachment, the Air Force will be unduly constrained over time, and we will not be the ready fighting force this country needs and demands.

We are confident, the multi-billion dollar effort in Defense programs to conserve, protect, and restore the environment will continue to achieve lasting successes in all areas of protecting human health and the environment. The Air Force appreciates the Committee's continued support so that we can maintain our stewardship of the environment and still prepare our men and women for the daunting challenges of combat.