



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

JUN 1 2005

CESPK-CO-R (1145b)

MEMORANDUM FOR Commander, Beale Air Force Base, ATTN: 9 CES/CC (Lt Col Gregory P. Long), 6451 B Street, Beale AFB, Marysville, California 95903

SUBJECT: Memorandum of Agreement for Conservation Areas at Beale AFB - 200400506

1. Enclosed please find the executed Memorandum of Agreement between Beale Air Force Base (BAFB) and the U.S Army Corps of Engineers, Sacramento District on the protection of Conservation Areas at Beale AFB.
2. This MOA, in conjunction with the Habitat Conservation and Management Plan (HCMP), which is being developed for Beale AFB, should ensure the long-term protection of waters of the United States, including wetlands within Conservation Areas on Beale AFB.
3. Please refer to identification number 200400506 in any correspondence concerning this project. If you have any questions, please contact Tom Cavanaugh at our Sacramento Valley Office, 1325 J Street, Room 1480, Sacramento, California 95814-2922, email [Thomas.J.Cavanaugh@usace.army.mil](mailto:Thomas.J.Cavanaugh@usace.army.mil), or telephone 916-557-5261. You may also use our website: [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Encls

ORIGINAL SIGNED

RONALD N. LIGHT  
COL, EN  
Commanding

CF:

Kristen Christopherson, Natural Resources Management, 6601 B Street, Beale Air Force Base, Marysville, California 95903  
U.S. Fish and Wildlife Service, Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-3901

CAVANAUGH/rr  
CESPK-CO-R

JEWELL

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ROSENBAUM

CESPK-CO-R

MAHONEY

CESPK-CO

KORLAN

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CHARLTON

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LIGHT

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DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 9TH MISSION SUPPORT GROUP (ACC)  
BEALE AIR FORCE BASE, CALIFORNIA

MAY 20 2005

MEMORANDUM FOR US ARMY CORPS OF ENGINEERS  
ATTN: MR. TOM CAVANAUGH  
Regulatory Branch  
1325 J Street, Room 1480  
Sacramento CA 95814-2922

FROM: 9 CES/CC  
6451 B Street  
Beale AFB, CA 95903-1708

SUBJECT: Memorandum of Agreement for Conservation Areas at Beale Air Force Base (AFB), California

1. The intent of this letter is to finalize a Memorandum of Agreement (MOA) between the U.S. Air Force, Beale AFB and the U.S. Army Corps of Engineers, Sacramento District (USACE) on the protection of Conservation Areas at Beale AFB.
2. Beale AFB has chosen to use some of the Conservation Area vernal pools and other waters of the U.S. as compensatory mitigation for impacts to Clean Water Act-protected resources elsewhere on base. In order to accept these areas as mitigation, the USACE has requested that these Conservation Areas be set aside in perpetuity through a conservation easement. However, neither the United States Department of Defense nor the United States Air Force possesses the necessary statutory authority to create conservation easements. Without this authority, there is no legal way to create such an easement or to fund it in perpetuity. In order to provide the USACE assurance regarding the long-term protection of vernal pools in Conservation Areas on BAFB, the Air Force is providing this agreement in addition to the Habitat Conservation and Management Plan (HCMP), which provides detail about the preservation, management, and monitoring of resources in the Conservation Areas.
3. Please contact Ms. Kirsten Christopherson at (530) 634-2643 if further information is required.

  
GREGORY P. LONG, Lt Col, USAF  
Base Civil Engineer

Attachments:

1. MOA
2. Map of Beale AFB Conservation Areas
2. Habitat Conservation and Management Plan (HCMP), April 2002 (CD)

# MEMORANDUM OF AGREEMENT

Between

BEALE AIR FORCE BASE (BAFB)

and

UNITED STATES ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT (USACE)

## Purpose

BAFB and the USACE are entering into this agreement to clarify each party's responsibilities and commitments concerning the creation, restoration, and preservation of waters of the United States, including wetlands on BAFB.

## Background

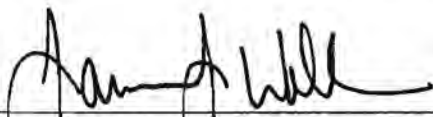
BAFB has developed the Habitat Conservation and Management Plan (HCMP) along with input from the USACE. The HCMP serves as BAFB's mitigation plan to support future development and security upgrades. It delineates specific areas of the base where high quality vernal pools will be preserved as conservation for the future losses due to development activities and disturbance of lower quality pools adjacent to current development. In addition, there will be a restoration/creation component to the conservation, and these areas will also be preserved. All preserved areas will be called "Conservation Areas."

## Agreement


- 1) BAFB will manage the Conservation Areas in the HCMP as compensation for waters of the United States, including wetlands, and associated threatened and endangered species. BAFB will not use the Conservation Areas for future development, military training, or any other conservation incompatible uses.
- 2) BAFB will request and utilize Air Combat Command (ACC) Conservation funds to manage, monitor, and protect the HCMP Conservation Areas. Although Headquarters ACC determines funding levels, the HCMP serves as an agreement with regulators and thus, ensures that BAFB will remain a high priority for HQ funding.
- 3) BAFB will submit all Conservation Area monitoring reports to the USACE on an annual basis.
- 4) BAFB will modify base maps (Beale AFB General Plan, Integrated Natural Resources Management Plan, etc.) to document that Conservation Areas are non-developmental areas. This plan documentation will ensure that base employees are aware and avoid these areas with any non-compatible activities.
- 5) When security conditions allow, BAFB intends to use cattle grazing and prescribed burning as the main management tools in the Conservation Areas.
- 6) When security conditions allow, BAFB intends to continue to encourage the use of our Conservation Areas as a field site for the educational enrichment of the local community, USACE employees, and local grade school, college, and university students.



- 7) BAFB will install educational signs and interpretive displays near the Conservation Areas to educate base personnel that work near these areas.
- 8) BAFB will include educational information about vernal pools and BAFB Conservation Areas in the monthly newcomer's briefings that are given to all military personnel new to BAFB.
- 9) BAFB will allow the USACE to make site visits as needed to assess the success of conservation efforts and to ensure Conservation Areas are being managed to benefit those resources.
- 10) Whenever possible, BAFB will implement future recommendations from the USACE on management and protection of Conservation Areas.
- 11) In the event BAFB decides to transfer the Conservation Areas to non-federal ownership at a future date, BAFB will, to the extent allowed by applicable statutes and regulations, include covenants to protect the Conservation Areas as non-developmental areas in any deeds transferring the property
- 12) In accordance with Contract Funding Policy, Subpart 32.7, para. 32.702 (Anti-Deficiency Act, 31 U.S.C. 1341), this MOA does not obligate government funds.
- 13) This MOA will become effective when it is signed by the BAFB Commander and the USACE Commander. This MOA will remain in effect until revised or terminated with 30 days advance written notice by either party. The termination of this MOA may require BAFB to submit an alternative mitigation plan with the USACE.

  
LAWRENCE L. WELLS, Colonel, USAF  
Commander, 9th Reconnaissance Wing

13 May 05  
Date

  
RONALD N. LIGHT, Colonel, USA  
Commander, COE

31 May 05  
Date

# Beale Air Force Base Habitat Conservation Planning

