

SIKES ACT IMPROVEMENT ACT OF 1997

- Enacted 18 November 1997
- Product of three-plus years of discussion
- Agreed to by DoD, USFWS, IAFWA

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NEED FOR AMENDMENTS

- Broaden scope of natural resources program
- Integrate program with ops & training
- Embrace tenets of conservation biology
- Invite public review
- Strengthen funding for conservation

KEY ELEMENTS

- Sec Def directed to carry out natural resources program...
 - Previous program discretionary
 - Previous program focused on fish & game conservation
- ...unless installation not home to significant natural resources

KEY ELEMENTS, cont.

- Mil Deps required to prepare and implement INRMPs for relevant installations
 - Broader in scope than cooperative plans
 - “Must fund” requirements
- INRMPs prepared in cooperation with DoI/FWS and State fish & wildlife agencies
 - Anticipated a truly collaborative process

KEY ELEMENTS, cont.

- INRMP shall reflect “mutual agreement” of the parties
 - Goal: agreement re entire plan
 - Requirement: agreement re elements of plan within scope of USFWS’s and State’s legal authority
- Sikes Act neither enlarges nor diminishes parties’ legal authorities

KEY ELEMENTS, cont.

- Required elements of plan:
 - Natural resources management
 - Habitat enhancement
 - Integration of activities
 - Public access and sustainable use
 - Specific goals and objectives
- Plus requirements from DoDI
 - Embrace principles of ecosystem mgmt

KEY ELEMENTS, cont.

- Program and INRMP must:
 - Be consistent with the use of installations to ensure military preparedness; and
 - Ensure no net loss in capability of installations to support military mission
- Obvious tension left unresolved

PROCEDURAL REQUIREMENTS

- Must provide opportunity for public comment on [at least the initial] INRMP
 - NEPA as means for soliciting?
- Parties must review no less often than every five years
- Sec Def annual Report to Congress

BOTTOM LINE

- Congress expects that:
 - Plans will be developed and revised cooperatively;
 - Plans will be implemented; and
 - Public will have access to installations to enjoy natural resources...
 - But military preparedness CANNOT be compromised