

**OREGON MILITARY DEPARTMENT
JOINT FORCE HEADQUARTERS, OREGON NATIONAL GUARD**

1776 Militia Way
P.O. Box 14350
Salem, OR 97309-5047

**OREGON ARMY NATIONAL GUARD
REGULATION NUMBER 350-29**

15 September 2005

**Training
LOCAL TRAINING AREA APPROVAL**

SUMMARY. This regulation explains the responsibilities of unit commanders and others involved in securing and using local training areas, the procedures that must be followed to comply with environmental laws and regulations, and the meaning and implications of the various levels of environmental documentation. Guidance is offered to assist with the environmental review process. Instructions are provided for preparation of the required forms and other paperwork, and samples are included as illustrations. This regulation applies to all units of the Oregon Army National Guard.

SUGGESTED IMPROVEMENTS. The proponent of this regulation is the Director, Chief of Staff Operations. Users are invited to send comments to the Oregon Military Department, ATTN: DCSOPS-T, P.O. Box 14350, Salem, OR 97309-5047.

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***This regulation supersedes ORARNG Pam 350-29, dated 1 May 1999.**

LIST OF APPENDICES

- A - Copy of AGO Form 744, Permit For Use of Premises
- B - Copy of AGO Form 744a, Legal Description and Training Information
- C - Sample of Training Area Request Packet
 - AGO Form 744
 - AGO Form 744a
 - Maps of the Access Route and Training Area
- D - Flowchart of LTA Review Process

1. PURPOSE.

a. This regulation outlines the procedures that will be used by units of the Oregon Army National Guard (ORARNG) for obtaining approval to establish and use training sites identified as local training areas (LTAs) through permit or lease agreements. Requests must be submitted through higher headquarters to DCSOPS and AGI-ENV.

b. This regulation outlines the procedures ORARNG units will use to comply with the National Environmental Policy Act (NEPA) IAW 32 CFR Part 651, Environmental Analysis of Army Actions, and ORARNG Pam 200-1, Environmental Compliance Implementation Guidelines. These procedures are intended to assure that units identify suitable sites for the type of training to be conducted, coordinate the use of the land with the property owner, and evaluate proposed sites to ensure that proposed training will have no significant impact to the natural or cultural resources or the human environment of the area.

c. This regulation does not apply to training areas associated with projects requested under the Innovative Readiness Training (IRT) program. See ORARNG 28-19.

2. RESPONSIBILITIES.

a. ORARNG commanders are responsible for ensuring that suitable lands are available for training. Training area requirements are determined based upon the Unit's organization, mission, location and level of training. Travel time between home station and the training site shall not exceed 25% of the total training time allotted, as specified in FORSCOM/NGB/USAR Regulation 350-2.

b. Commanders will, to the maximum extent possible, utilize training lands currently under the control of the Department of the Army (regardless of the agency maintaining jurisdiction), reservoir lands of U.S. Army Corps of Engineers civil works projects, or lands under control of the Military Department, State of Oregon. "Permits for Use of Premises" will only be executed when such lands are not available.

c. The Adjutant General, State of Oregon, through DCSOPS ATTN: Training Lands Manager, will execute all agreements deemed appropriate on behalf of the requesting unit. Units shall not use LTAs until approved by the Adjutant General. Use of such lands without proper

approval subjects the applicable commander to potential civil fines and penalties, as well as possible criminal prosecution.

d. Commanders will ensure that proposals to establish or use training areas are supported by environmental documentation prepared IAW this regulation.

e. Battalion and brigade headquarters are required to monitor compliance to ensure that only approved LTAs are used by subordinate units.

3. DEFINITIONS.

a. Permit or License - Temporary authority to enter upon and do a specific act or acts upon the land of another. The terms license and permit may be used interchangeably.

b. Lease - A grant of the exclusive possession of real property for a prescribed period of time, on stated terms and conditions and in consideration of the payment of rent.

c. Easement - A right acquired for access to or over, or for use of, another person's land for a specific purpose.

d. Local Training Area (LTA) - Training sites, normally located in close proximity to the home station of the using unit, which are available for use by ORARNG units through permit or lease agreements.

4. PROCEDURES.

a. Commanders will annually review the training area needs of their units to ensure adequate training land is available to support IDT training objectives. Local training areas will be identified, as appropriate, to accomplish this requirement.

b. Lands determined by the requesting unit to be suitable and available for use as LTAs may be used only after environmental documentation has been completed and approval obtained from the Adjutant General on AGO Form 744, Permit for Use of Premises (see Appendix A).

c. Units cannot use LTAs approved for other units or for activities that are not clearly defined in the ARNG Environmental Checklist. The following procedures will be used:

(1) Units will prepare requests to renew existing LTA agreements IAW this regulation for no more than three (3) years from the effective date, and describe all training activities to be conducted on the site. The unit must address all anticipated training activities when completing the ARNG Environmental Checklist (ARNG REC Form Jun 04) for the site in order to minimize the need to process additional requests for other activities.

(2) Existing LTAs may continue to be used for the types of military training stated in the agreement until expiration of the current agreement.

(3) Requests to renew existing LTA agreements will be prepared and transmitted to the Military Department IAW this regulation. All forms including an ARNG Environmental Checklist must be processed through DCSOPS and AGI-ENV prior to expiration of the Permit for Use of Premises to ensure continued use of the LTA.

d. In order to obtain approval to establish an LTA, the Unit Commander must submit a completed request packet at least 90 days prior to the proposed beginning date of use to DCSOPS. DCSOPS will forward the completed request packet to AGI-ENV for processing of environmental documentation. A request packet will consist of four (4) copies of the following:

(1) A completed AGO Form 744 with the signature blocks typed for the Unit Commander and property owner. The Commander will sign AGO Form 744 for initial submission; however, the property owner's signature must be obtained after the environmental review has been completed by AGI-ENV. A blank AGO Form 744 and a sample are provided in Appendices A and C.

(2) A completed, signed AGO Form 744a; including the specific section(s), township(s), and range(s) for the specific areas proposed for training use. General training information will also be included on AGO Form 744a. A blank form and a sample are provided in Appendices B and C.

(3) A photocopy of a map of the proposed training area and maps showing the access route to/from the home station. If possible, outline the training area on a 1:24000 USGS topographic map and submit a photocopy. Samples are provided in Appendix C.

(4) The unit environmental point-of-contact (EPOC) knowledgeable with the proposed training area, the training mission, and proposed training activities to be conducted will prepare a completed ARNG Environmental Checklist. Units are required to submit an electronic version of the checklist and can be downloaded at the following OMD website:

<http://www.mil.state.or.us/Agi-E/ORARNGRRegs/350-29/Index350-29.html>.
Signatures will not be obtained for this draft.

e. In instances where a lease is required, the Unit Commander will submit a memorandum through command channels to the Oregon Military Department, ATTN: DCSOPS-T, along with an AGO Form 744 and 744a, plus an estimate of anticipated costs necessary to support the lease, if any. Signatures are not required of the landowner on the initial request.

5. ENVIRONMENTAL REVIEW, GENERAL GUIDANCE.

a. A Unit Commander is required to evaluate the potential environmental effects of the tasks to be performed prior to conducting the training mission IAW 32 CFR PART 651 and ORARNG

Pam 200-1. The evaluation must be based upon the natural characteristics of the training site as well as the type and level of intensity of the training mission. The evaluation must be completed and recorded on an ARNG Environmental Checklist. AGI-ENV will then make a determination of the appropriate environmental documentation required in order to satisfy 32 CFR PART 651, based in part upon the information submitted on the checklist.

b. 32 CFR PART 651 and Chapter 2, ORARNG Pam 200-1 specify the type of written environmental document normally appropriate for a proposed activity. The appropriate level of environmental documentation will not exceed a Record of Environmental Consideration (REC) for a proposed LTA. A REC is the appropriate environmental document provided the proposal qualifies for one of the Categorical Exclusions (CX) listed in Appendix A, 32 CFR PART 651. In addition, the proposal must pass the screening criteria listed in Appendix A, 32 CFR PART 651 for a CX to be used.

6. ENVIRONMENTAL REVIEW, UNIT GUIDANCE.

a. After a unit determines the need to enter into a land use agreement to establish an LTA, unit personnel should visit the site and gather general information regarding the natural features and the condition of these features on the site. Review of the ARNG Environmental Checklist and the issues to be addressed prior to the site visit is highly recommended.

b. The unit EPOC will prepare the ARNG Environmental Checklist for submittal to DCSOPS.

c. Prior to submitting a request to establish an LTA, the Unit Commander must review the ARNG Environmental Checklist to determine if the training mission is adequately depicted and all of the information is included for review by DCSOPS and AGI-ENV.

7. ENVIRONMENTAL REVIEW, DCSOPS.

a. DCSOPS staff will review the information submitted in the LTA request packet and verify the need for the LTA and the accuracy of the description of the proposed training. When satisfied, the request packet or a copy will be forwarded to AGI-ENV. If unit personnel identify potential environmental issues that may pose a problem in obtaining LTA approval, they should contact AGI-ENV for assistance and guidance. If appropriate, AGI-ENV will accompany the unit on a site visit to discuss potential issues and resolution prior to significant commitment by the unit to the site.

b. DCSOPS staff will also check for opportunities to incorporate other units training needs into the LTA proposal and add units to Forms 744 and 744a and additional information to the checklist, as appropriate.

8. ENVIRONMENTAL REVIEW, AGI-ENV.

a. AGI-ENV staff will review and edit the information submitted on the ARNG Environmental Checklist and determine the appropriate level of environmental documentation required.

(1) If the proposal qualifies for a Categorical Exclusion (CX), an ARNG Environmental Checklist and Record of Environmental Consideration (hard copy) will be prepared by AGI-ENV and returned to the unit for signatures of both the property owner/manager and the Unit Commander.

(2) If the proposal does not qualify as a CX, AGI-ENV will recommend to DCSOPS that the request for the LTA be denied unless the LTA is found to have significant value to the unit in meeting its mission requirements and an Environmental Assessment is deemed appropriate.

9. PREPARATION OF AGO FORM 744 (PERMIT FOR USE OF PREMISES).

a. Paragraph 1. Fill in the name of the property owner, unit designation, proposed ending date of the permit, and specific types of training to be conducted.

b. Paragraph 2. Fill in the number of days of advance notification to be given to the property owner by the unit.

c. Paragraph 3. Complete the signature blocks with typed names and titles. The Unit Commander must sign as the Requesting Party. Do not obtain property owner signature until after AGI-ENV has completed the environmental documentation and has returned the request packet to the unit.

10. PREPARATION OF AGO FORM 744a (TRAINING AREA REQUEST).

a. Exhibit A, Legal Description of Proposed Training Area, as outlined on AGO Form 744a (see Appendix C). Information provided must include an accurate description of the property, including the county, in which the property is located, and the township(s), range(s), and section(s) involved in the request. Be specific in the legal description, including only the property upon which the training will occur.

b. Exhibit B, Map of the proposed training area and map of access route from the unit armory to the training site. Samples of the maps which are to be submitted are provided in Appendix C.

c. Exhibit C, Training Information, as outlined on AGO Form 744a (see Appendix C). All information requested must be provided. The form must be signed by the Unit Commander, who

certifies by signature that the training to be accomplished at the site is accurately described in the request.

11. PREPARATION OF THE ARNG ENVIRONMENTAL CHECKLIST.

a. Answer all questions on the ARNG Environmental Checklist to the best of your knowledge. The proposed site should be visited prior to completing the checklist and the landowner/manager should be interviewed for information regarding the features and conditions of the site. Do not complete Part E – Innovative Readiness Training, Part F – Determination or the Record of Environmental Consideration (REC) on pages 6-8 of ARNG REC Form Jun 04 with the exception of Name of the Landowner and Commander.

Include the date the Environmental Checklist was completed in Part A (3) [Page 1 and 8].

b. Include all training that is proposed at the site. Detailed training tasks to be performed, the number of troops and equipment to be included in the training exercises, and the proposed dates of training must be included.

c. The Unit Commander should review and refer to the Spill Plan (ORARNGR 420-47) in preparation to answering Section 4g of the checklist.

d. Before the checklist is submitted to DCSOPS, ensure that all elements identified in paragraph 4d of this regulation are included as part of the LTA request packet.

e. Upon review of the information submitted by the unit in the LTA request packet, AGI-ENV will determine whether the proposed action qualifies as a Categorical Exclusion. If so, a ARNG Environmental Checklist and Record of Environmental Consideration (REC) will be completed by AGI-ENV. If not, the request will be returned to DCSOPS-T.

12. PREPARATION OF THE RECORD OF ENVIRONMENTAL CONSIDERATION.

a. The Record of Environmental Consideration (REC) is the official document verifying that environmental impacts have been considered prior to implementing a proposed action. The ARNG Environmental Checklist is the support document. The official REC and checklist will be completed by AGI-ENV staff if the training qualifies as a Categorical Exclusion.

b. If appropriate, AGI-ENV will sign and date the REC and ARNG Environmental Checklist and return it along with AGO Form 744 and AGO Form 744a to the unit.

c. The Unit Commander will review the documents and sign AGO Form 744a, the ARNG Environmental Checklist, and the REC.

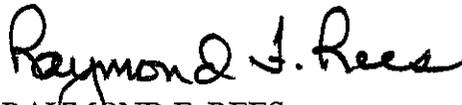
d. The landowner or property owner of the LTA will sign and date AGO Form 744 and the REC.

e. Upon the completion of the above steps, the unit will submit all four copies of the completed request packet to DCSOPS for final approval and distribution.

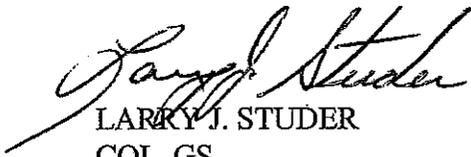
f. Upon approval, DCSOPS will retain one copy of the completed LTA request packet, submit one copy to AGI-ENV, return one copy to the requesting unit indicating approval, and mail the final copy to the landowner. A copy of the approved AGO 744 and 744a will be forwarded to the unit's brigade and battalion headquarters for notification purposes.

BY ORDER OF THE GOVERNOR:

OFFICIAL:



RAYMOND F. REES
Major General
The Adjutant General



LARRY J. STUDER
COL, GS
Chief of Staff

DISTRIBUTION:
A (ARMY)

Appendix A (Copy of AGO 744) to ORARNG Regulation 350-29

PERMIT FOR USE OF PREMISES

1. A permit is hereby granted by _____ (hereinafter Grantor) to _____ Army/Air Guard Units (hereinafter Grantee), for the use of the premises described on Exhibit A, attached. This permit shall be in effect on date of approval and shall remain in effect until _____ unless sooner revoked in writing by the Grantor and is to allow the Grantee to use the premises for the following stated purposes:

- 2. The following conditions, restrictions, and covenants shall apply to the permitted use.
 - a. Grantor shall levy no charge or fee for permitted use.
 - b. Grantee shall give written notice of at least ____ days prior to actual use.
 - c. Grantee shall ensure the premises are maintained and left in an orderly, sanitary, and safe manner.

3. Grantor recognizes any and all claims arising out of permitted use of any incidental use are cognizable under and shall be processed pursuant to ORS 30.260 et seq, ORS 30.310 et seq, if Grantee is using the premises while in a State status, and pursuant to the Federal Tort Claims Act as enacted and as amended by Public Law 97-124, dated 29 December 1981, if Grantee is in a Federal status (Title 10 or 32 USC) at time of use.

Date: _____

Date: _____

Signature of Grantor or
Authorized Agent

Signature of Requesting Party

Title/Position of Agent

Duty Title or Position

Address: _____

Unit/Installation Address:

Attachments:

- Exhibit A ____ Legal Description of Premises (Required)
- Exhibit B ____ Map of Premises w/sketch map to the Unit Armory (Required)
- Exhibit C ____ Training Information (Required)

Military Department, State of Oregon

The Adjutant General of Oregon

Appendix B (Copy of AGO 744a) to ORARNG Regulation 350-29

LEGAL DESCRIPTION OF PROPOSED TRAINING AREA
(EXHIBIT A)

Area Name: _____

Owner: _____

Description: 1) County: _____

2) Section(s): _____

3) Township(s): _____

4) Range(s): _____

Brief description of terrain: _____

Signature of Requesting Party

TRAINING INFORMATION
(EXHIBIT C)

1. Date(s)/time(s) of training: _____

2. Number of personnel participating in training: _____

3. Number and type of vehicles to be used: _____

4. As the unit commander, I will take every precaution to insure the premises are maintained in a safe, orderly, and sanitary manner IAW accepted management practices.

Commanding



Appendix C (Sample of Training Area Request Packet) to ORARNG Regulation 350-29

PERMIT FOR USE OF PREMISES

1. A permit is hereby granted by **The Bureau of Land Management** (hereinafter Grantor) to **Co A 1249 EN Army/Air Guard Units** (hereinafter Grantee), for the use of the premises described on Exhibit A, attached. This permit shall be in effect on date of approval and shall remain in effect until **15 November 2002** unless sooner revoked in writing by the Grantor and is to allow the Grantee to use the premises for the following stated purposes:

ARTEP Training : Land navigation, demolitions, mine emplacement, dismounted movement, emplacement of wire obstacles, crew served weapons positions, company bivouac w/mess.

2. The following conditions, restrictions, and covenants shall apply to the permitted use.
a. Grantor shall levy no charge or fee for permitted use.
b. Grantee shall give written notice of at least **30** days prior to actual use.
c. Grantee shall ensure the premises are maintained and left in an orderly, sanitary, and safe manner.

3. Grantor recognizes any and all claims arising out of permitted use of any incidental use are cognizable under and shall be processed pursuant to ORS 30.260 et seq, ORS 30.310 et seq, if Grantee is using the premises while in a State status, and pursuant to the Federal Tort Claims Act as enacted and as amended by Public Law 97-124, dated 29 December 1981, if Grantee is in a Federal status (Title 10 or 32 USC) at time of use.

Date: 15 November 1999

Date: 9 November 1999

Signature of Grantor or
Authorized Agent

Signature of Requesting Party

Elaine Zielinski, Director, BLM
Title/Position of Agent

Commander, Co A 1249 EN
Duty Title or Position

Address: 1515 SW 5th
Portland, OR 97201

Unit/Installation Address:
875 SW Simpson Ave, Bend, OR 97702

Attachments:

- Exhibit A X Legal Description of Premises (Required)
- Exhibit B X Map of Premises w/sketch map to the Unit Armory (Required)
- Exhibit C X Training Information (Required)

Military Department, State of Oregon

For: DONALD F. BOND, COL
The Adjutant General of Oregon

Appendix C (Sample of Training Area Request Packet) to ORARNG Regulation 350-29

LEGAL DESCRIPTION OF PROPOSED TRAINING AREA
(EXHIBIT A)

Area Name: Brothers Resource Area

Owner: US Bureau of Land Management

- Description:
- 1) County: Deschutes
 - 2) Section(s): 15 and 16
 - 3) Township(s): 14S
 - 4) Range(s): 13E

Brief description of terrain: Flat to gently rolling terrain with rock outcrops. Open range land with grasses, sagebrush and scattered junipers. No surface water in the area.

Signature of Requesting Party

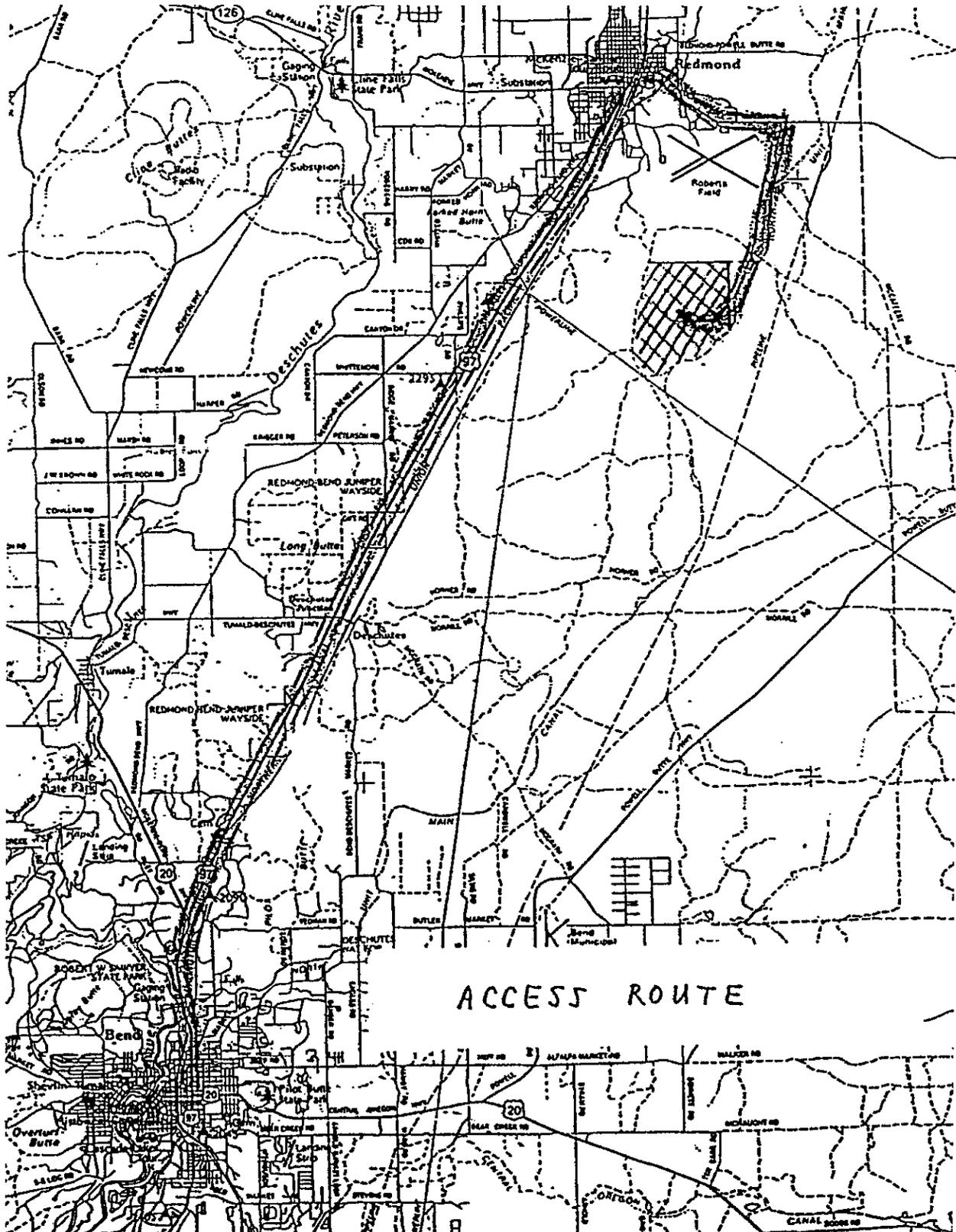
TRAINING INFORMATION
(EXHIBIT C)

- 1. Date(s)/time(s) of training: 15-17 Dec 99, 22-24 Mar 99, 11-13 Mar 99, 20-22 Apr 99
- 2. Number of personnel participating in training: 6 Officers, 102 Enlisted
- 3. Number and type of vehicles to be used: 7 HMMWV, 4 Five Ton Dump Trucks

4. As the unit commander, I will take every precaution to insure the premises are maintained in a safe, orderly, and sanitary manner IAW accepted management practices.

CPT, EN
Commanding

Appendix C (Sample of Training Area Request Packet) to ORARNG Regulation 350-29



Appendix D (Flowchart of LTA Review Process) to ORARNGR 350-29

Local Training Area Permit Process

