

Joint Land Use Study



Program Guidance Manual

August 2002



OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF ECONOMIC ADJUSTMENT
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Military Representatives and Community Officials:

The Office of Economic Adjustment (OEA) is pleased to present the following Joint Land Use Study (JLUS) Program Guidance Manual to assist installation commanders and local community leaders deal with urban encroachment. Incompatible urban development can constrain military installation mission activities and threaten national Defense readiness. It also can unnecessarily expose residents adjacent to military installations to unacceptable noise levels and hazards. The protection of military missions and the public health, safety, and welfare are mutual needs. Joint planning activities can help resolve current incompatibility problems and avoid future conflicts. These efforts engage civilian and military installation representatives in a participatory planning partnership.

OEA can provide technical and financial assistance for collaborative planning efforts that lead to the implementation of effective compatible development measures. The JLUS Program was created in 1985 for this purpose. This JLUS Program Guidance Manual is meant for both military and civilian leadership. It describes a participatory process for achieving mutually beneficial results. Each year the Military Departments nominate bases for JLUS projects, based on actual or potential encroachment. OEA project managers then work with installation commanders and community leaders in a partnership focused on resolving encroachment issues. The JLUS Program goal is to ensure that Defense missions can continue without reducing readiness and that local economic development can prosper without degrading the public health, safety and welfare.

I trust you will find this manual both informative and helpful.

A handwritten signature in cursive script that reads "Patrick J. O'Brien".

Patrick J. O'Brien
Director
Office of Economic Adjustment

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Program Guidance Manual

INTRODUCTION

Military installations affect adjacent communities in several ways, some positive and some negative. On the positive side are jobs and income, that contribute to the economic base. Negative impacts may include noise, safety concerns, smoke, dust, and other effects from training and military operations.

Conversely, adjacent communities may have unintended and unwanted effects on the military installation, most of which are associated with urbanization, especially the development of land adjacent to an installation that is incompatible with its activities. Incompatible development is broadly called encroachment. It includes incompatible uses, those that adversely affect the public health, safety, and welfare, and those which produce noise, smoke, dust, excessive light, electromagnetic interference, and vibration which inhibit the military mission. Structures that intrude into airspace are also a form of encroachment.

Urbanization can also affect endangered wildlife, reducing habitat, thus forcing it onto adjacent military property. This migration can impact adversely on operations, training and readiness, since endangered species habitat must be respected.

Areas adjacent to most installations are very attractive for development because of their proximity, however; they are also subject to military—related noise and accident potential. In some cases incompatible development has been a factor in the curtailment of training operations or the relocation of certain operations to other bases. This has, in turn, reduced the economic benefit of the installation to the adjacent community and the mission

suitability to the Military Department. In the most extreme cases, incompatible development can contribute to closure of the installation. Incompatible development, or encroachment, is one of the criteria used by the Department of Defense to determine mission suitability and which installations may be closed.

The Department recognized the problem of urban encroachment on installations, and in 1973 initiated the Air Installation Compatible Use Zone (AICUZ) and Installation Compatible Use Zone (ICUZ) programs. AICUZ is used by the Navy and Air Force, while ICUZ is used by the Army. ICUZ is now an integral part of a more comprehensive Environmental Noise Management Program (ENMP). Also, the Navy has added a Range Air Installation Compatible Use Zone study (RAICUZ) to delineate noise impacts from aerial firing ranges. The intent of these programs is to provide information to local governments about noise and accident potential from base operations, and to encourage communities to adopt land use controls that will ensure compatible development in areas adversely affected by military operations. Some communities heed the advice and adopt appropriate measures, but others do not effectively deal with the issue.

The Department initiated the Joint Land Use Study (JLUS) program in 1985 in an effort to achieve greater application of the AICUZ/ENMP/RAICUZ program recommendations. The JLUS program utilizes the AICUZ/ENMP/RAICUZ data in a participatory, community planning context. Program objectives are twofold:

1) to encourage cooperative land use planning between military installations and the surrounding communities so that future community growth and development are compatible with the training or operational missions of the installation; and 2) to seek ways to reduce the operational impacts on adjacent land. It is more inclusive in scope than noise and accident potentials and is more public in nature. The JLUS program encourages communities and the military installation to study the issues in an open forum, taking into consideration both community and military viewpoints. As an incentive for communities to participate in a joint planning process, the Office of Economic Adjustment (OEA) offers matching grants for a Joint Land Use Study. Recommendations in a study are used to guide local jurisdictions in the development and implementation of land development controls. The intent of the controls is to ensure that future public and private development around the military installation will be compatible with both the military mission and the development needs of the community. It is a win-win situation.

Results are expected from a JLUS project. Communities are asked to make good faith commitments before the program is funded; that study recommendations will be accepted and incorporated into local planning and decision making. Some of the study recommendations will be controversial, particularly to groups or individuals having development interests in land affected by base operations. Local officials must face this reality before they agree to participate in the process, and must be willing to consider the broad public health, safety and welfare.

PROJECT SELECTION AND START-UP

Each year the Military Departments nominate bases for a JLUS. Selection is based on the presence of existing encroachment or the potential for it to develop in the near future. OEA then meets with the base and community leadership to explain the purpose and process for initiating a study. In addition, there must be an indication of strong support from the base leadership. The base must ensure its staff participation throughout the study process, and a current AICUZ/ENMP/RAICUZ report must be available or near completion. Also, there must be a good community/base relations track record upon which to build a JLUS partnership.

Military installations are often located within several jurisdictions and operations can adversely affect many. Conversely, independent local planning and development decision can constrain base operations. Thus, cooperation and participation among affected jurisdictions is essential. OEA, together with representatives from the military departments, meets with the various communities collectively or individually to achieve understanding and acceptance of the JLUS concept. Consensus must be achieved at the beginning of the process.

ORGANIZE FOR THE STUDY

Once the jurisdictions agree to conduct a JLUS, participants must decide who will be responsible for the study and agree on a sponsor. Where one or two jurisdictions are involved, a city or county planning agency may be the logical sponsor. When there are many jurisdictions involved, one organization needs to represent all and sponsor the study. Studies of this nature completed in major urban areas (e.g., Sacramento, Phoenix, and Charleston) were coordinated by regional planning agencies or councils of government. In rare instances where a very large geographic area is involved, beyond the normal jurisdictional area of local organizations, special organizations may need to be created, with perhaps the state playing the critical coordinating role.

Identifying the stakeholders at the onset of the project is critical because ongoing support will directly relate to how involved participants have been from the beginning. At a minimum, the participants should include representatives from the military installation, all counties directly abutting the military reservation, and those municipalities within those counties that are affected by high noise or accident potential. If communities or counties beyond those contiguous to the base are affected, they should also be included. Also, if other airports are affected by base operations, the FAA and state aviation agency should be asked to participate. Once the participants are identified, they need to agree on what organization will sponsor the study, and how the study will be accomplished.

Even with widespread general support for a JLUS, the organizational phase of the process can take as long as a year to complete in localities that include many jurisdictions or where consensus is lacking. It is important that community and military officials recognize that the up front investment of time is critical to building a support base at the beginning of the process. This will pay extra dividends later when JLUS proponents seek agreement by affected communities on recommendations and implementation.

Four key organizational issues consume the most time: identifying and enlisting study participants; developing the project workplan; identifying and securing the needed resources; and gaining approval of the workplan and budget from OEA.

Policy Committee

A policy committee needs to be established by the sponsor. This committee would represent elected officials from participating jurisdictions, the military installation(s) leadership, and senior representatives from other interested and affected agencies (like an airport authority) and the state. The policy committee is responsible for the overall direction of the JLUS, approval of the budget, preparation and approval of the study design, approval of draft and final written reports, approval of policy recommendations, and monitoring implementation of the adopted policies.

The policy committee would meet initially to understand the purpose and expectations of the JLUS process, decide what will be studied, what resource commitment each participant should make, and the membership of a subsidiary working group that will be charged with study preparation. The first committee meeting might also include presentations from officials of communities that have completed a JLUS. They can be helpful in gaining the support of local leaders, and should be considered as a useful start-up tool by other JLUS organizers. Statements of support might also be given by the base commanders and state officials. This meeting can also be used to get feedback from local officials about issues important to them and their community, and obtain formal commitment to the project. A sample budget proposal for local cash contributions, and a sample letter of support for and agreement to participate in the study could be distributed at this time. OEA will expect support letters from an elected official of each city and county that will participate as part of a grant application. The critical areas of endorsement and commitment are shown in a sample letter at Appendix A.

Working Group

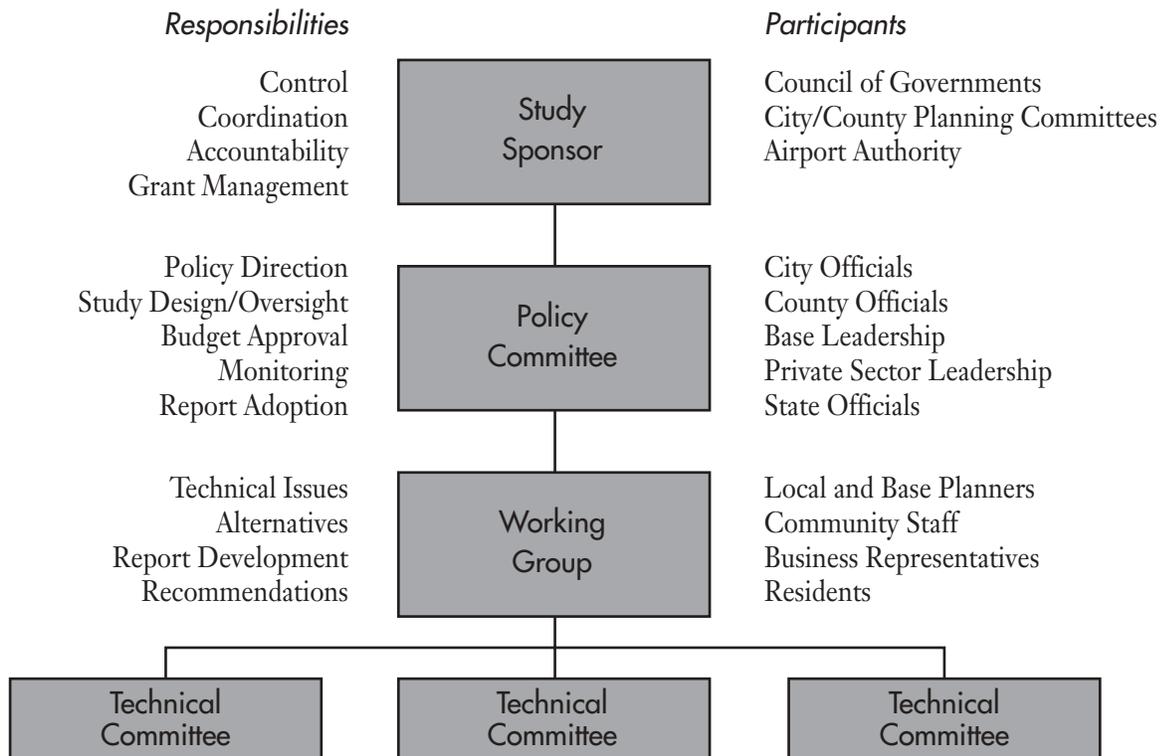
The working group is responsible for identifying and studying technical issues, either independently or through the project subcontractor. This may be done with one committee or a number of specialized subcommittees. Technical committees may have varying degrees of control over the activities of the subcontractor, and for this reason it is desirable for the policy committee to have at least one member on each technical committee for coordination and accountability. Membership of the technical advisory committee might include area planners, city and county managers and their professional staff, military base planners, local airport manager(s), representatives from the business and development

community, FAA officials, natural resource protection organizations, and other subject matter experts as needed. Membership on the technical committee should be expanded at any time during the study if new technical issues emerge.

The diagram below shows the relationships among participants, the committee, and the working group. It suggests typical participants for each organization.

After formulation of the study scope of work, the policy committee will usually meet only for major presentations of information and findings, review of policy issues, and final endorsement of the completed report and its recommendations.

JOINT LAND USE STUDY ORGANIZATION



DEVELOP A WORKPLAN

Defining the study area at the beginning of the process is difficult at best, since the full extent of military impacts on communities may not be known until the research phase of the project is completed. A current AICUZ/ENMP/RAICUZ report provides a basis for determining the study area, although other considerations may also be important, especially if changes are expected in base missions, aircraft mix, artillery, etc. The study area should include all areas affected by accident potential, and unacceptable noise levels (above 65 ldn). Each Military Department defines clear zones and APZ's for the type aircraft it uses, so care should be taken to determine these dimensions at the outset. Appendix B shows the areas affected by noise and accident potential for a Navy or Air Force airfield. The noise levels are depicted by noise contours, amoeba-shaped areas. Areas affected by greater than a 65 ldn noise level is usually considered the threshold above which certain uses are not compatible. Appendix C shows a schematic configuration of impacts from artillery ranges. The Army ENMP program uses Zones I, II, and III (worst) to define noise-impacted areas. These are also irregular in pattern. The Air Force/Navy 65 ldn contour roughly equates to the limits of Army Zone II. Structure height is also important around airfields. The AICUZ/ENMP/RAICUZ report will depict an "airspace control surface" to guide the implementation of height restrictions.

Other considerations include explosives, safety quantity distances from ammunition storage that may affect land outside the base, external radio frequency interference, and electromagnetic radiation effects on adjacent land. These phenomena are depicted at Appendix D.

It is preferable to define the study area as broadly as practicable and err on the side of overestimating rather than understating the affected region. Established planning districts, natural or manmade boundaries, or jurisdictional borders may be the easiest way to delineate the study area.

The workplan, or study design, specifies what is to be done, how, and on what schedule. It is important to develop a comprehensive workplan early in the organizational phase of the process. Besides specifying the scope of work, it can be used to clarify roles, responsibilities, and expectations for all major study participants, and it can serve to explain and "sell" the project to local governments. It should also function as an internal management tool to keep the project on task and on schedule. Appendix E shows typical ingredients and issues that should be part of a JLUS scope of work.

The companion OEA publication, "Practical Guide to Compatible Civilian Development near Military Installations, Airfields, and Test and Training Ranges" should be consulted when developing a workplan. Considerable research and documentation of case law and development control techniques was done in preparing this guide. Similar research on these issues does not need to be duplicated in a workplan.

RESOURCES

After the study area is defined, attention should be focused on resources needed to undertake the study. This has to be done concurrently with development of the detailed workplan because each consideration will drive the other. For example, the amount of money available will determine how complex (and expensive) the workplan can be, and the perceived scope of work requirements will determine how much money must be committed.

A JLUS is a partnership between the military installation and local governments, so non-Federal funds must be committed to the project. The stakeholders must understand that this is a locally driven process, and they have to buy into it with their resources as well as with their active participation. Fifty percent of the costs should be covered by non-Federal sources. This may be in the form of cash or in-kind contributions (e.g., equipment, space, supplies). At least 20 percent of this should

be cash. If most of the work is to be done by contract, then greater local cash contributions will be necessary. Potential contributors include participating local governments, councils of government, airport authorities, local businesses, chambers of commerce, utility companies, and the state government. Some “fair share” allocation of costs borne by local governments is appropriate, possibly on the basis of tax base, population distribution, or proportion of land affected.

ADMINISTRATION

Successful management of a JLUS involving multiple agencies, organizations, and local governments requires a sound administrative plan and clear delineation of responsibilities.

Public participation and awareness, and media relations are an integral part of the project sponsor's responsibilities. Public scoping and comment meetings, the preparation of informational brochures, newsletters, and news articles, as well as traditional press releases, should be used to instill public confidence in the professional, straightforward process being used.

Local media involvement should be cultivated at the beginning and throughout the study, as the media can provide broader public exposure to the intent and purpose for the study, technical information, policy issues, progress, and study recommendations.

TECHNICAL ISSUES

Many of the technical issues associated with a JLUS will be unique because each community and base has its own characteristics and needs. There are, however, certain technical issues that will invariably be a part of any JLUS project. These will for the most part be related to noise and aircraft safety considerations, but may also, for example, include economic impacts of the bases on the surrounding communities as a means of convincing local offi-

cial that the potential cost of losing the base due to incompatible land development is too high. Also of increasing importance is the stewardship of wildlife and fragile ecosystems.

Noise and safety information will be available from the installation AICUZ/ENMP/RAICUZ report. Consideration should also be given to planning for possible fluctuations in noise impact configurations that future change in aircraft, flight frequency, or mission would cause. This approach would minimize the local planning difficulty in responding to the “accordion” effect of noise impacts as mission and weapons configurations change.

One of the most useful tools for analyzing technical information is a Geographic Information System (GIS). A GIS can portray spatial information in a consistent manner throughout the study area. Study sponsors having access to GIS capabilities should carefully inventory the kinds of information already available from other sources. Existing information may be available from local governments, councils of government, or state agencies. Also, the U.S. Geological Survey has digital information available for many geographic areas covered by their 1:24,000 quad sheets. Noise contour information can also be provided by the Army, Navy, and Air Force in digital format. When requesting hard copy noise contours, request the data at the same scale used by local governments; if digital format is requested, the user must ensure that noise contour scales are consistent with all other digital scales used. JLUS grants will not cover costs to establish a GIS, but grant funds may be used to digitize data.

Another indispensable part of the technical background information is an inventory of existing community plans and development control tools. Unnecessary duplication of existing information wastes time and money. Also important is a complete understanding of existing state land use enabling legislation, and what kinds of new legislative authority might be needed to implement the study recommendations.

All technical issues should reach resolution through the cooperative working relationship of the working group with the base, community leadership, and professional staff. For time and financial budgeting reasons, pertinent technical issues should be identified early enough to be included in the workplan.

STUDY RECOMMENDATIONS

The Joint Land Use Study process will result in a series of findings, conclusions, and recommendations. The recommendations are the most important part of the JLUS because their implementation must accomplish the objectives of the study, for example, compatible development of land affected by or affecting installation operations. To be accepted and endorsed by all parties involved in the study, the recommendations must be based on fact, technically feasible, and politically and financially realistic.

Generally, recommendations will include those which fit into the following categories:

- noise exposure and accident potential zones resulting from aircraft and/or artillery;
- limitations on tall structures which interfere with flight operations;
- on-base measures to mitigate community impacts;
- peripheral land uses that adversely impact installation operations; and,
- regional and local intergovernmental approaches to developing and implementing land development policy.

Within these general categories, recommendations might include public relations/education programs, intra- and interjurisdictional policy statements, military operational noise and safety controls, local government land use policies or laws, state legislation, and institutional arrangements for implementing JLUS recommendations.

IMPLEMENTATION ACTIVITIES

No JLUS can be considered a success unless the study recommendations are implemented and incorporated by local ordinance into the community comprehensive plan, zoning ordinance, subdivision regulations, and building codes. An important first step in the implementation process is the official adoption of the recommendations by the JLUS policy committee, and transmittal of the JLUS report and recommendations to affected local governing bodies urging implementation. A cover letter should be prepared and signed by the policy committee chairperson explaining why implementation is important and how it will help the community in both the short run and into the future. The cover letter should offer to have one of the policy committee members attend a future meeting of the municipal or county board/council to explain the recommendations and answer any questions.

One way that the implementation process can be institutionalized is through the creation of a permanent advisory board or commission. Such an organization, with representatives from each participating jurisdiction and the military, can serve as a monitoring agency for the study recommendations, and to some extent can exert peer pressure on localities that are not following through with implementation of the recommendations. The organization can also undertake or sponsor follow up studies when needed, and can offer support to communities reluctant to enact politically sensitive land use controls.

Implementation can also be facilitated through positive press relations. Leaders of the local JLUS process should ensure that the media are brought on board to support the objectives of the study from its inception. Once the media are convinced that the process is valid and needed, they will be more supportive throughout the process and into the implementation phase.

LESSONS LEARNED

Several lessons have been learned through the experiences of communities and military bases around the country as they prepared joint land use studies. The most important of these are summarized as follows.

- Consensus building before, during, and after the study is of paramount importance. It is nearly impossible to do this unless all interested parties are meaningfully involved from the beginning of the process.
- The organizational structure must be carefully crafted to ensure that technical needs of the study team are met, and that policy makers and technical staff of participating jurisdictions and organizations have ample opportunity to contribute their ideas and express any concerns.
- The geographic planning area should include all jurisdictions that are impacted by the military installation activities.
- Community and base leaders should rely heavily on the advice and experience of the Office of Economic Adjustment and the applicable military department(s). They have been through this process many times and can help local leaders recognize and avoid potential pitfalls.

For additional information on the JLUS program, contact:

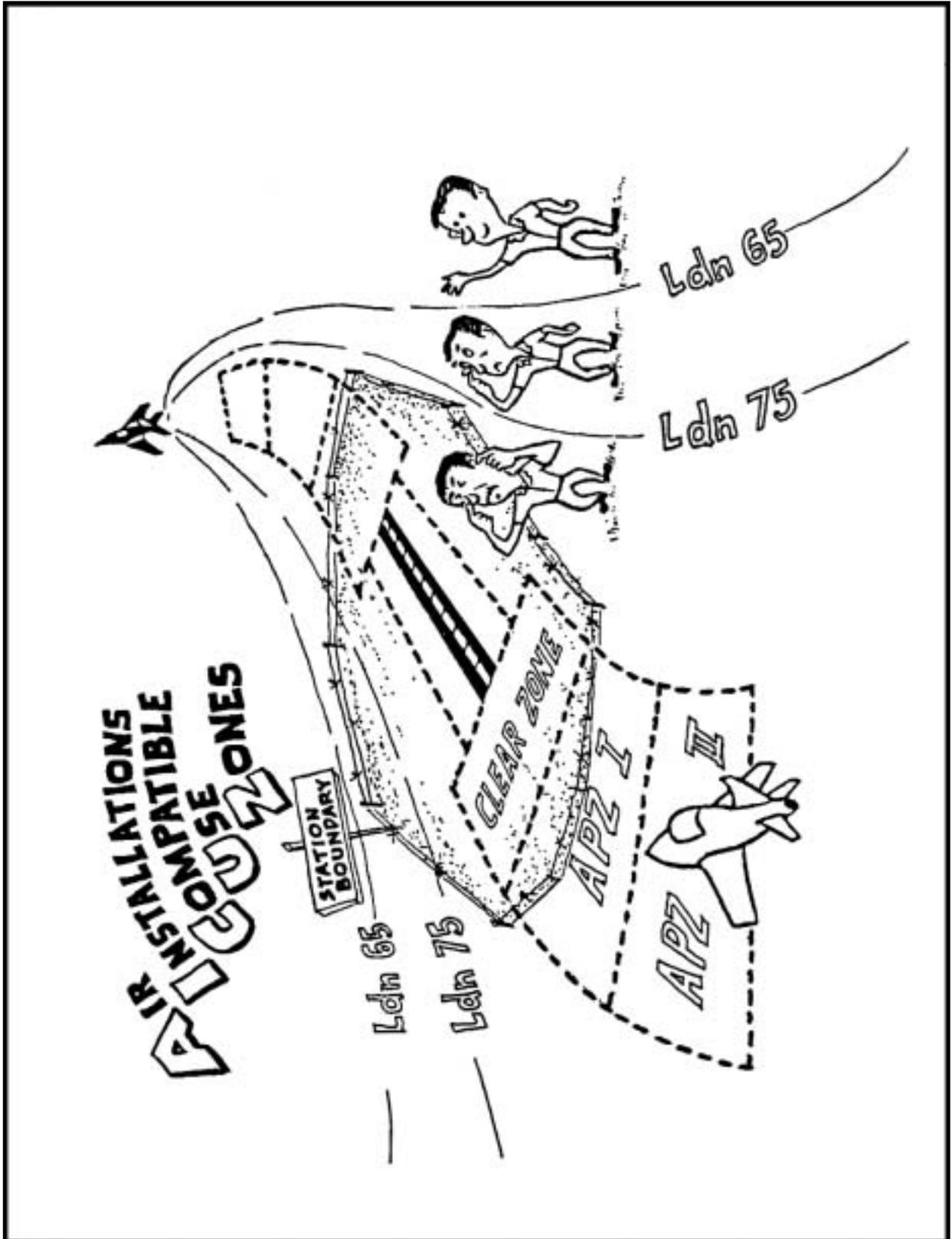
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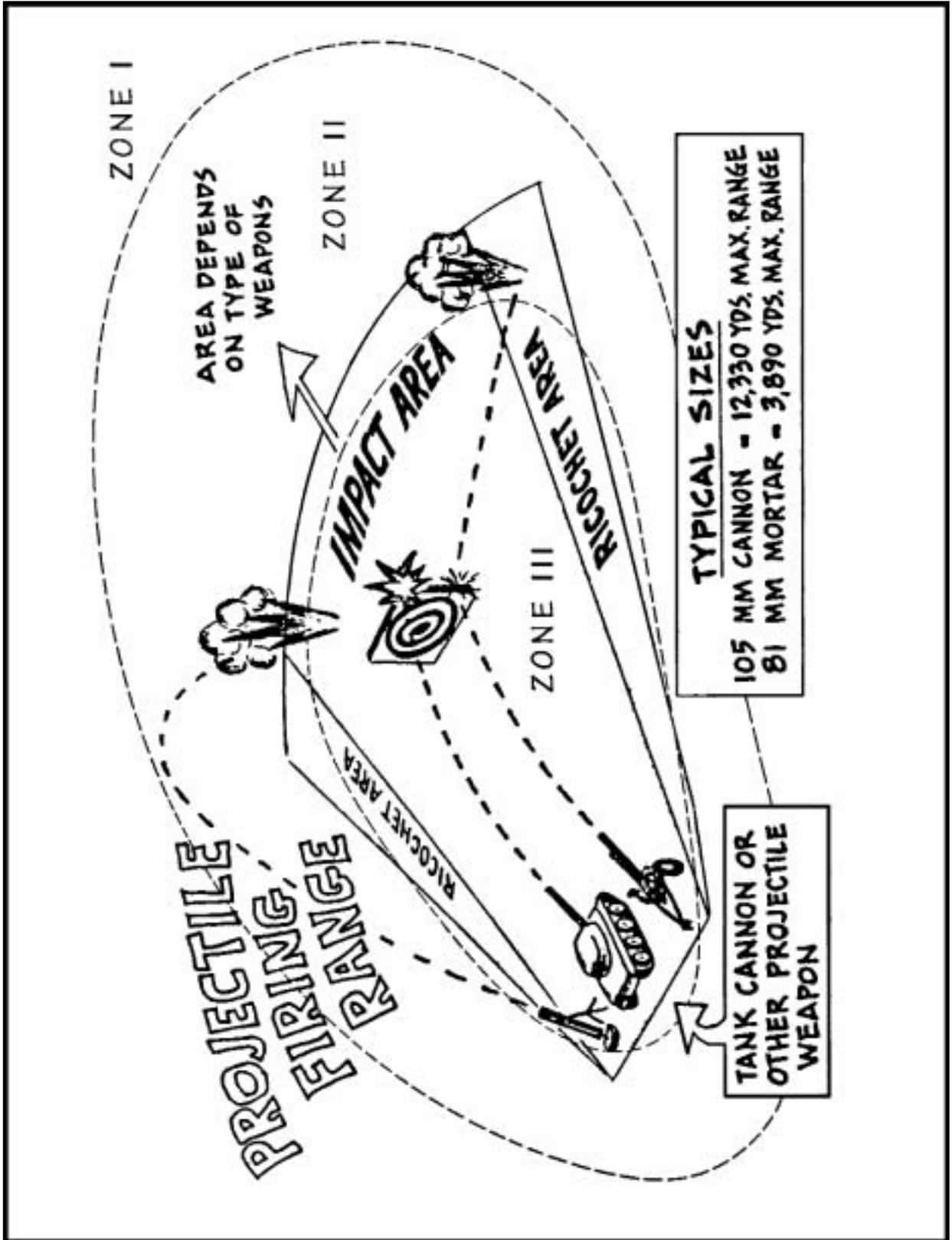
APPENDIX A

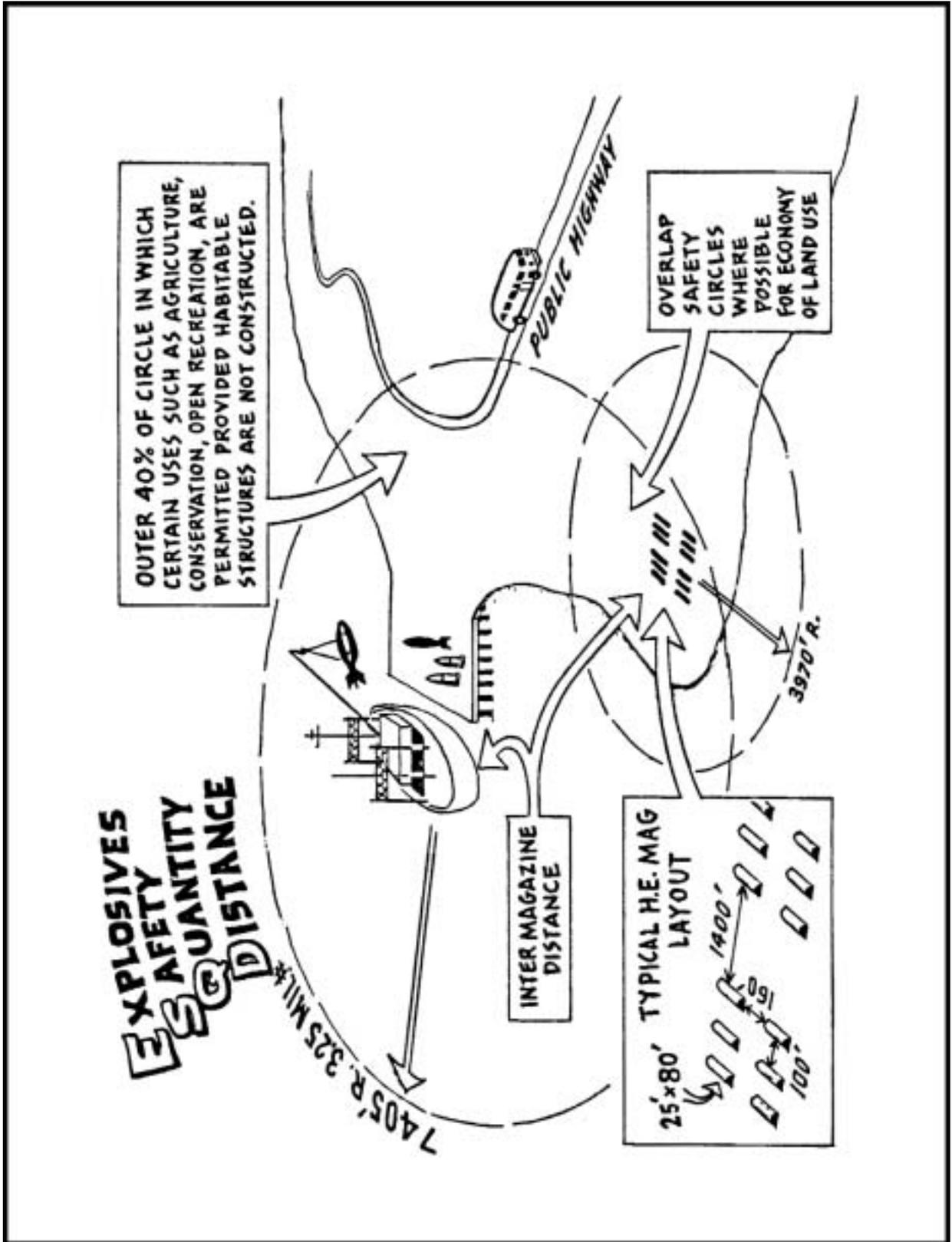
Sample Statements/Resolutions

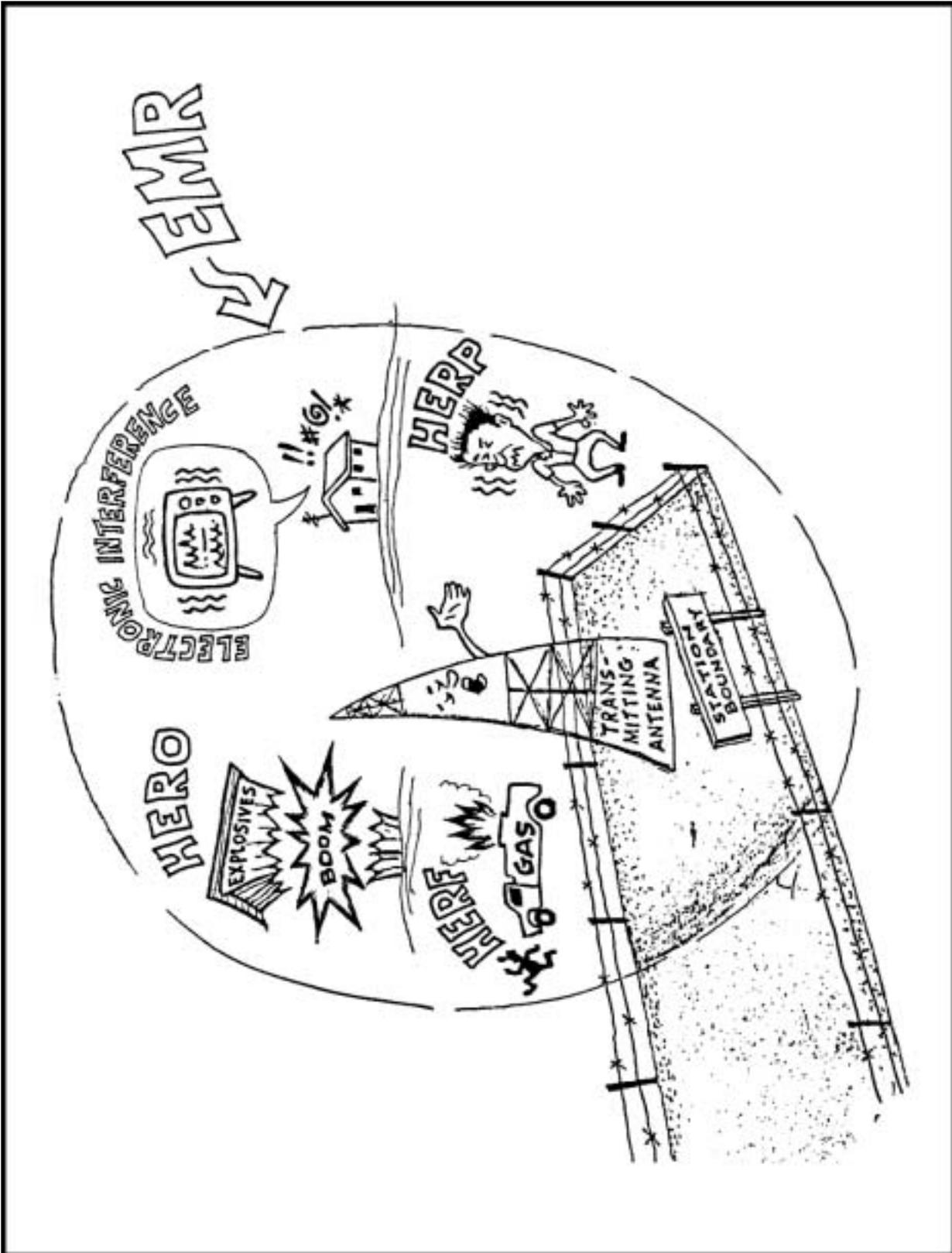
Community Support for a Joint Land Use Study

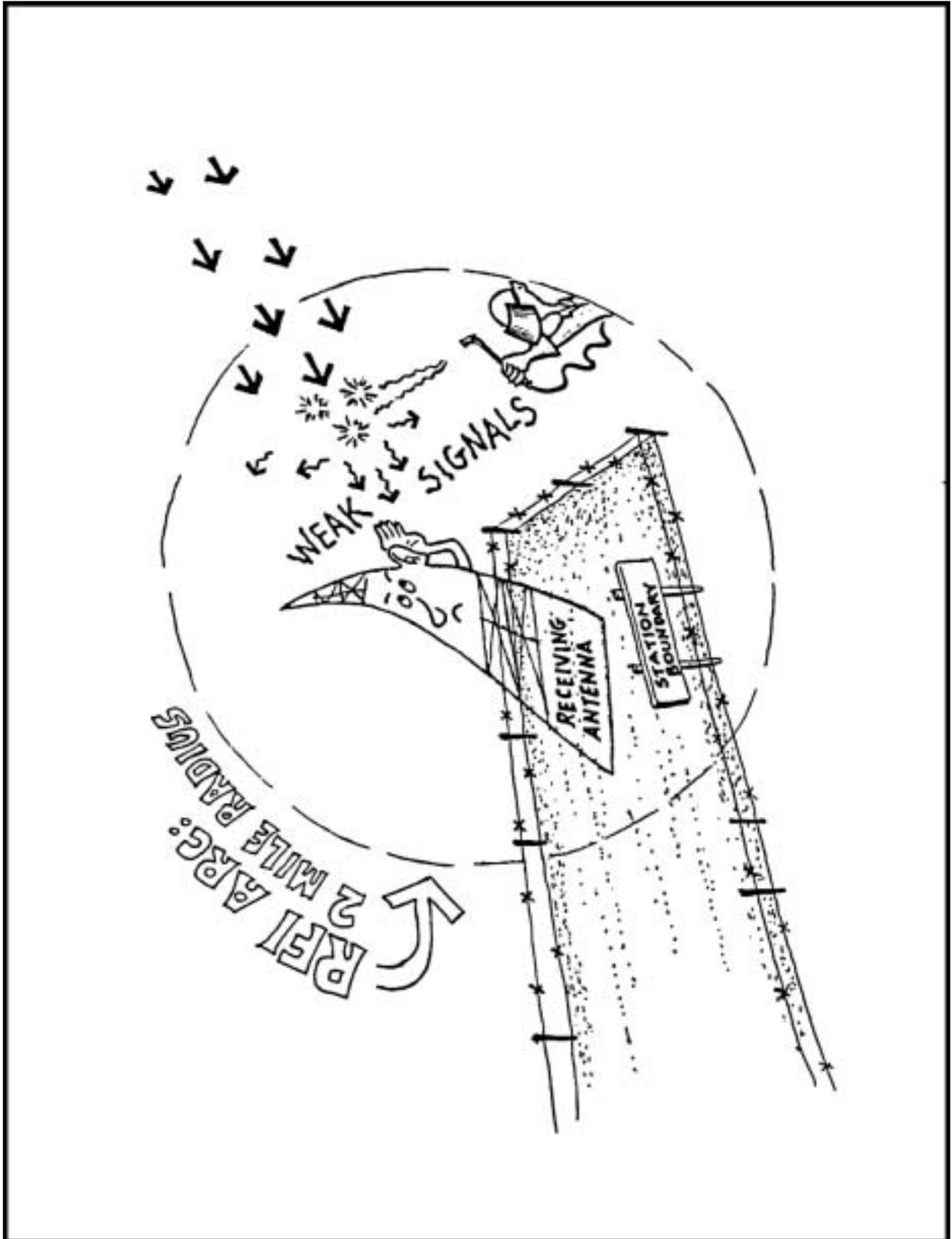
- Recognition of base's importance to the local and regional economy, and thus the need to protect its operational capacity
- Recognition of the local responsibility to protect the public health, safety, and welfare as the basis for participation in a JLUS, and follow-on implementation of appropriate measures to assure compatible development
- Agreement in principle to concept of a JLUS and pledge of jurisdiction's support and participation in the process
- Agreement on the sponsor (grantee) for the study
- Commitment to financial/in-kind support of the study
- Good faith commitment to implement appropriate recommendations to ensure only compatible development will occur in Accident Potential Zones and areas impacted by high noise











Framework for A Community/Military *Joint Land Use Study*

A joint military/civilian land use study should, at a minimum, address four things: the planning and development issues and why they are important to military and civilian study participants, the process that the applicants intend to use in completing the study, the product(s) of the study, and the cost.

The study design framework will most likely evolve over several iterations, depending primarily on whether the study will be done in-house by the sponsoring organization, or whether it will be done under contract. If the technical work is to be done in-house, the participating organizations, both civilian and military, can develop the scope of services document relatively easily after conferring with all participating organizations and gaining consensus on what should be included in the study. Of course, the complexity of the study will be driven by the issues to be addressed and the perceived needs of the participants.

If the study is going to be contracted out to a private consulting firm or other technical resource such as a university, the sponsoring agency must use competitive bidding procedures. Federal grant regulations require free and open

competition for contracted services. The scope of services must be detailed in a statement of work sufficient for potential bidders to make a cost determination.

The study design submitted to the Office of Economic Adjustment (OEA) as part of a grant proposal needs to include process and product information. Therefore, a comprehensive study design must specify responsibilities of all parties, and particularly what is to be done by a contractor. An option is to prepare two study designs, one addressing the overall program, and a subset covering only those items to be done by a contractor. Some flexibility should be built into the study design, whichever method is used, so that unforeseen issues that may arise during the study can be addressed without formally amending the study design or the grant agreement with OEA. Final approval authority for the study design and contracts rests with OEA, so close coordination with OEA is needed throughout the process.

The following outline is illustrative. It shows those issues that should be considered in any JLUS program, and should be used as a guide or checklist to facilitate local consensus building on what the study should include.

I STUDY PURPOSE

- A. Problem/Issues Statement
- B. Study Goals (e.g., protection of public health, safety and welfare, and sustainability of military mission)
- C. Objectives & Expectations of Participants
 - 1. Military
 - 2. Jurisdictions (cities, counties, states)
 - 3. Other interests (e.g., development, conservation, natural resource protection)

II ORGANIZATION

- A. Planning Area, Participating Agencies & Jurisdictions
- B. Organizational Structure (include chart)
 - 1. Sponsor
 - 2. Policy committee
 - 3. Working group
 - 4. Others as applicable
- C. Organizational Roles & Responsibilities
- D. Public Participation
 - 1. Advisory group(s)
 - 2. Public forums, meetings, workshops, hearings
 - 3. JLUS Program Brochure
 - 4. Newsletter
 - 5. Media relations, press packets, news releases

III BACKGROUND INFORMATION

- A. Chronology of Events Leading Up to a JLUS
- B. Economic Impacts of the Installation on the Region
- C. Current Community & Regional Plans/Studies—Relationship to the JLUS
- D. Current AICUZ/ENMP/RAICUZ & Base Master Plan—Relationship to the JLUS
- E. Land Stewardship Agreements (e.g., endangered species, environmentally sensitive areas)

IV TECHNICAL INFORMATION

- A. Planning Area Profile
 - 1. Existing land use
 - 2. Water, sewer, gas utilities
 - 3. Existing development controls
 - a. zoning
 - b. building codes
 - c. height restrictions
 - d. easements
 - e. moratoriums
 - f. conservation/preservation
 - 4. Projections
 - a. population by age
 - b. employment by SIC code
 - c. land use by category
 - d. traffic (highway & air)
 - e. utility extensions
- B. Military Mission(s)
 - 1. Current or projected
 - 2. Reasonable full use scenario
- C. Military Operations & Impacts on Community
 - 1. Economic impact on adjacent communities
 - 2. Environmental & safety impacts (AICUZ/ENMP/RAICUZ)
 - a. noise (aircraft, artillery, other)
 - b. flight tracks
 - c. aircraft accident potential
 - d. height restrictions
 - e. traffic
 - f. off-base maneuvers
 - g. other (e.g., dust, smoke, light)
 - h. natural habitat, conservation
 - 3. Current measures to mitigate impacts
 - 4. Potential operational changes to mitigate impacts
- D. Civilian Development Impacts on Mission Accomplishment
 - 1. Existing incompatible development & potential for incompatible development under existing controls & growth scenarios
 - 2. Transportation (highways & airports)
 - 3. Other (electromagnetic interference, light, dust, birds, wildlife, pollution)
 - 4. Development control enforcement record
- E. State Legislation Permitting or Impeding Use of Development Controls
 - 1. Areas of critical concern
 - 2. Land conservation/preservation programs
 - 3. Real estate disclosure
 - 4. Special land use/zoning districts

V RECOMMENDATIONS

- A. General Recommendations
 - 1. Land uses
 - 2. Transportation improvements
 - 3. Community facilities, infrastructure & services
 - 4. Intergovernmental planning coordination
 - 5. Regulation
 - 6. State legislative actions required
- B. Community-specific Recommendations
 - 1. Land use & zoning
 - 2. Transportation
 - 3. Community facilities, infrastructure & services
 - 4. Regulation (e.g., building codes, disclosure)
- C. Installation-specific Recommendations
 - 1. Operational patterns
 - 2. Mitigation measures

VI IMPLEMENTATION STRATEGIES

- A. What Should Be Done
- B. Who is Responsible
- C. When

VII MONITORING PLAN

- A. Responsibility for Monitoring Implementation Activities
- B. Procedures for Follow Up on Implementation Slippage

VIII STUDY PHASING (CHART OR GRAPH)

- A. Tasks, Milestones, Target Dates & Responsibilities
- B. Preliminary Schedule of Implementation Activities

IX PROJECT COST & FUND SOURCES (FEDERAL, STATE, LOCAL CASH/IN-KIND)



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CAMP CARTER

NORTH
1:25,000