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**SUBCHAPTER I—CONSERVATION
PROGRAMS ON MILITARY INSTALLATIONS**

§ 670. Definitions

In this subchapter:

(1) Military installation

The term “military installation”—

(A) means any land or interest in land owned by the United States and administered by the Secretary of Defense or the Secretary of a military department, except land under the jurisdiction of the Assistant Secretary of the Army having responsibility for civil works;

(B) includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the Secretary of a military department; and

(C) does not include any land described in subparagraph (A) or (B) that is subject to an approved recommendation for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(2) State

The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the Virgin Islands.

(3) State-owned National Guard installation

The term “State-owned National Guard installation” means land owned and operated by

a State when such land is used for training the National Guard pursuant to chapter 5 of title 32, with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.

(4) State fish and wildlife agency

The term “State fish and wildlife agency” means the one or more agencies of State government that are responsible under State law for managing fish or wildlife resources.

(5) United States

The term “United States” means the States, the District of Columbia, and the territories and possessions of the United States.

(6) Indian tribe

The term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(Pub. L. 86-797, title I, §100, as added Pub. L. 105-85, div. B, title XXIX, §2911, Nov. 18, 1997, 111 Stat. 2021; amended Pub. L. 112-81, div. A, title III, §312(a)(1), Dec. 31, 2011, 125 Stat. 1351; Pub. L. 112-239, div. A, title III, §312(b), Jan. 2, 2013, 126 Stat. 1691.)

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in par. (6), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

AMENDMENTS

2013—Par. (6). Pub. L. 112-239 added par. (6).

2011—Pars. (2) to (5). Pub. L. 112-81 added pars. (2) and (3) and redesignated former pars. (2) and (3) as (4) and (5), respectively.

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-85, div. B, title XXIX, §2901, Nov. 18, 1997, 111 Stat. 2016, provided that: “This title [enacting this section and sections 670e-1 and 670e-2 of this title, amending sections 670a, 670b, 670c, 670c-1, 670f, and 670o of this title, repealing section 670a-1 of this title, and enacting provisions set out as notes under this section and section 670a of this title] may be cited as the ‘Sikes Act Improvement Act of 1997.’”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-420, §1, Oct. 5, 1978, 92 Stat. 921, provided: “That this Act [amending sections 670f and 670o of this title] may be cited as the ‘Sikes Act Amendments of 1978.’”

SHORT TITLE

Pub. L. 86-797, §1, as added by Pub. L. 105-85, div. B, title XXIX, §2903, Nov. 18, 1997, 111 Stat. 2016, provided that: “This Act [enacting this chapter] may be cited as the ‘Sikes Act.’”

§ 670a. Cooperative plan for conservation and rehabilitation

(a) Authority of Secretary of Defense

(1) Program

(A) In general

The Secretary of Defense shall carry out a program to provide for the conservation and rehabilitation of natural resources on military installations.

(B) Integrated natural resources management plan

(i) To facilitate the program, the Secretary of each military department shall prepare and implement an integrated natural resources management plan for each military installation in the United States under the jurisdiction of the Secretary, unless the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate.

(ii) The Secretary of a military department may, subject to the availability of appropriations, develop and implement an integrated natural resources management plan for a State-owned National Guard installation. Such a plan shall be developed and implemented in coordination with the chief executive officer of the State in which the State-owned National Guard installation is located. Such a plan is deemed, for purposes of any other provision of law, to be for lands or other geographical areas owned or controlled by the Department of Defense, or designated for its use.

(2) Cooperative preparation

The Secretary of a military department shall prepare each integrated natural resources management plan for which the Secretary is responsible in cooperation with the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and the head of each appropriate State fish and wildlife agency for the State in which the military installation or State-owned National Guard installation concerned is located. Consistent with paragraph (4), the resulting plan for the military installation or State-owned National Guard installation shall reflect the mutual agreement of the parties concerning conservation, protection, and management of fish and wildlife resources.

(3) Purposes of program

(A) Consistent with the use of military installations and State-owned National Guard installations to ensure the preparedness of the Armed Forces, the Secretaries of the military departments shall carry out the program required by this subsection to provide for—

(i) the conservation and rehabilitation of natural resources on such installations;

(ii) the sustainable multipurpose use of the resources on such installations, which shall include hunting, fishing, trapping, and non-consumptive uses; and

(iii) subject to safety requirements and military security, public access to military installations to facilitate the use.

(B) In the case of a State-owned National Guard installation, such program shall be carried out in coordination with the chief executive officer of the State in which the installation is located.

(4) Effect on other law

Nothing in this subchapter—

(A)(i) affects any provision of a Federal law governing the conservation or protection of fish and wildlife resources; or

(ii) enlarges or diminishes the responsibility and authority of any State for the protection and management of fish and resident wildlife; or

(B) except as specifically provided in the other provisions of this section and in section 670b of this title, authorizes the Secretary of a military department to require a Federal license or permit to hunt, fish, or trap on a military installation.

(b) Required elements of plans

Consistent with the use of military installations and State-owned National Guard installations to ensure the preparedness of the Armed Forces, each integrated natural resources management plan prepared under subsection (a)—

(1) shall, to the extent appropriate and applicable, provide for—

(A) fish and wildlife management, land management, forest management, and fish-and wildlife-oriented recreation;

(B) fish and wildlife habitat enhancement or modifications;

(C) wetland protection, enhancement, and restoration, where necessary for support of fish, wildlife, or plants;

(D) integration of, and consistency among, the various activities conducted under the plan;

(E) establishment of specific natural resource management goals and objectives and time frames for proposed action;

(F) sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish and wildlife resources;

(G) public access to the installation that is necessary or appropriate for the use described in subparagraph (F), subject to requirements necessary to ensure safety and military security;

(H) enforcement of applicable natural resource laws (including regulations);

(I) no net loss in the capability of installation lands to support the military mission of the installation; and

(J) such other activities as the Secretary of the military department determines appropriate;

(2) must be reviewed as to operation and effect by the parties thereto on a regular basis, but not less often than every 5 years; and

(3) may, in the case of a military installation, stipulate the issuance of special State hunting and fishing permits to individuals and require payment of nominal fees therefor, which fees shall be utilized for the protection, conservation, and management of fish and wildlife, including habitat improvement and