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DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

OPNAVINST 3100.5E
OP-642
17 NOV 1988

OPNAV INSTRUCTION 3100.5E

From: Chief of Naval Operations

Subj: NAVY OPERATING AREA AND UTILIZATION OF CONTINENTAL SHELF PROGRAM

Ref: (a) DOD Directive 3100.5 of 16 Mar 87 (NOTAL)
(b) OPNAVINST 3770.2G
(c) OPNAVINST 5090.1

Encl: (1) Navy Offshore Operating Areas
(2) Navy Administration of Offshore Operating Areas and Continental Shelf Utilization

1. Purpose. To provide Department of the Navy policy and procedures for implementation of reference (a), which established Department of Defense (DOD) policies and procedures for utilization of offshore public lands.

2. Cancellation. OPNAVINST 3100.5D.

3. Discussion. The Department of the Navy (DON) is a significant user of offshore public lands, which in this context includes the airspace, surface and subsurface waters above the seabed, as well as the seabed and subsoil of the Continental Shelf. The Continental Shelf is defined by the 1958 Convention on the Continental Shelf to extend out either to a depth of 200 meters (109 fathoms) or to a depth at which commercial exploitation of natural resources found in the ocean seabed is feasible. The Federal government controls commercial exploration for and exploitation of those resources on the U. S. Continental Shelf, except in state-controlled waters. The individual states control the use of the waters and seabed within the three nautical mile territorial sea, excepting the states of Florida and Texas, which control exploration and exploitation rights to a distance of nine nautical miles from their respective shorelines. The technological and economic growth of the United States has created an increasing demand for utilization of those offshore public lands and waters for commercial, recreational, and ecological purposes. Commercial oil and gas interests are vigorously pressing for the right to conduct expanded exploration for and exploitation of fuel resources to meet the nation's rapidly increasing demands. DOD policy promulgated by reference (a) requires that those offshore public lands be utilized or, when feasible, be co-utilized in the highest national interest. Therefore, DON must be able to determine how the national interest is best served in those areas where the requirements of national security and of

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is required as to what the minimum essential requirements of DON are and whether co-utilization of an area is feasible.

4. Background. The issues of consequence in developing DON's position with regard to a particular offshore public land area are:

a. The types of operations conducted in an area and their relative importance to the overall national security.

b. The size of the impact area (footprints) required for weapons and ordnance fired in an area.

c. Alternatives, such as reconfiguration or relocation of an area, that can be considered for an area in question and whether or not they are feasible and acceptable. Estimated relocation costs, if applicable, are pertinent.

d. The fixed facilities, i.e., bases, stations, ranges, etc., that are directly associated with the area in question and their monetary value. Unique equipment installations, such as range radars and calibration devices, should be described, when applicable.

e. Size and composition of the forces that utilize the area.

f. Number of military and civilian personnel assigned to the affected facilities, if applicable, and their collective annual salaries.

g. Approximate annual dollar amount of local procurement, such as goods, services, construction, and maintenance.

h. Annual average usage rates for an area in question and the types of operations conducted therein, stated in general terms. Examples of the above are:

(1) Airspace warning area W-999 is utilized approximately 10,300 hours annually for basic and advanced Navy and Marine Corps pilot training in operations such as aircraft carrier qualification, high altitude tactics, formation flying, navigation training, air-to-air and air-to-surface missile and gun firing, and air anti-submarine warfare training. The area is also used for surface-to-air gun firing.

(2) Surface operating areas 1-17 are utilized approximately 7,500 hours annually for various surface ship operations, such as basic tactical operations, formation maneuvers, engineering trials, anti-submarine warfare, calibration of

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electronic equipment, and test and evaluation of certain newly developed electronic equipment.

(3) Subsurface operating areas 18-20 are utilized approximately 3,800 hours annually by surface and submarine units for tactical training operations, various post overhaul trials, diver and salvage training, and anti-submarine warfare training.

(4) The surface and subsurface waters and seabed which underlie the northern portion of airspace warning area W-888 and within a 10 nautical mile radius of 30 degrees 15'N, 81 degrees 10'W are utilized approximately 2,400 hours annually by air and surface units conducting research, development, test and evaluation (RDT&E) operations, including helicopter minesweeping, acoustic and magnetic research, mine warfare and countermeasures, salvage, diving and swimmer operations, inshore undersea warfare, torpedo test firing, coastal ecology and submarine acoustic silencing. In addition, underwater sensors suspended from platforms and implanted in the seabed operate continuously in the collection of various undersea acoustic and magnetic data, as well as in connection with specific testing of certain weapons and underwater search and detection equipment.

i. Past experience indicates that the local records of scheduling authorities can provide such information on a case by case basis.

5. Applicability and Scope. The provisions of this instruction apply to operations in all offshore public lands and their associated waters and airspace, the use of which is controlled or scheduled by Navy and Marine Corps authorities. Those areas are delineated in enclosure (1).

6. Responsibilities

a. The Secretary of the Navy is designated as the DOD Executive Agent for outer continental shelf matters by reference (a) and is responsible for execution of the provisions of the Memorandum of Agreement between the Departments of Defense and Interior. Compatibility between the DOD Offshore Military Activities Program and the related plans and programs of the Department of the Interior (DOI) and coastal states is to be ensured through continuing liaison with those agencies. Concerned DOD components are to be kept apprised of new developments in the DOI's, states', and industry's mineral leasing plans that may affect present or potential military interests in offshore areas. The Executive Agent represents the Department of Defense on the Secretary of the Interior's Outer Continental Shelf Advisory Board.

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R) b. The Chief of Naval Operations (CNO) is responsible to the Secretary of the Navy for the determination of requirements for the military use of offshore public lands by the Navy and Marine Corps. In addition, CNO is responsible for the coordination of those requirements with those of the other Services. The Director, Total Force and Fleet Operations Division, (OP-64), will carry out those responsibilities, in coordination with other appropriate offices and activities of DON. CNO cognizance for the various types of operating areas is listed in enclosure (1).

7. Action. Specific procedures pertaining to the establishment, modification, or disestablishment of an offshore airspace or operating area administered by a Navy or Marine Corps authority are prescribed in enclosure (2). The following coordination actions are required when it is necessary to determine Navy or Marine Corps requirements for an area.

a. The Commander in Chief, U. S. Atlantic Fleet, and the Commander in Chief, U. S. Pacific Fleet, will coordinate responses for CNO when the information detailed in paragraph 4 is required to determine DON's requirements for areas that span a broad geographic region that is coordinated and scheduled by many activities. For new area requirements, or as operations dictate, an assessment of environmental impact should be prepared to meet the requirements of the National Environmental Policy Act (NEPA) as mandated by reference (c). Direct liaison with Marine Corps activities is authorized.

b. The Fleet Commanders in Chief may designate appropriate subordinate naval commanders to coordinate the following actions:

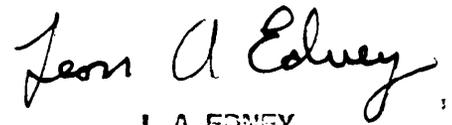
(1) Ensure that the appropriate OPNAV sponsor(s) designated in enclosure (1) and other interested Navy and Marine Corps commands are kept advised on matters pertaining to non DOD exploration, development, or usage of offshore airspace and operating areas where there is an actual or potential conflict with DON interests.

(2) Maintain liaison with the regional offices of the U. S. Army Corps of Engineers, District Engineer, U. S. Coast Guard, U. S. National Ocean Survey, National Oceanic and Atmospheric Administration, Department of Interior, Department of Energy, Environmental Protection Agency, and other appropriate authorities in matters involving offshore exploration, scientific research, or resource/environmental management in Navy and Marine Corps administered areas to coordinate scheduled or ongoing military operations with the civilian activity.

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(3) Represent CNO in matters pertaining to artificial fishing reefs and other conservation activities in Navy and Marine Corps offshore areas.

c. Commands responsible for scheduling usage of Navy and Marine Corps offshore airspace and operating areas shall maintain local records on annual usage rates for an area as discussed in paragraph 4h. Additionally, commands responsible for scheduling special use airspace shall maintain records for reports required by reference (b). The geographical operating coordinators are listed in enclosure (1) for the various regional off shore operating areas.



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Navy Offshore Operating Areas & Continental Shelf Utilization

1. OP-64 is the CNO coordinator for all Navy offshore OP-AREAS and continental shelf matters.
2. Types of and certain specific Navy and Marine Corps administered offshore airspace, operating areas, and continental shelf utilization are listed below to indicate their cognizant OPNAV sponsor.

<u>AREA</u>	<u>OPNAV SPONSOR</u>	
Special Use Airspace	OP-05	
Surface Operating Areas	OP-03	
Surface Danger Zones	OP-02, OP-03	
Subsurface Operating Areas and Transit Lanes	OP-02	
RDT&E ranges, weapons ranges, centers, laboratories, facilities, etc. utilizing offshore areas	OP-098	
SOSUS	OP-02	(R)
Coastal Zone Management	OP-04	

3. The following geographical operating area coordinators will maintain utilization records concerning their regional areas as required by paragraph 7c of the basic directive, and are responsible for the day-to-day coordinated use of their respective operating areas by other agencies and the Navy.

<u>AREA</u>	<u>COORDINATOR</u>
Boston	COMSUBGRU TWO
Narragansett Bay	CO FACSFAC VACAPES
Atlantic City	CO FACSFAC VACAPES
Patuxent River	CO FACSFAC VACAPES
Virginia Capes	CO FACSFAC VACAPES
Cherry Point	CO FACSFAC VACAPES
Charleston	COMSUBGRU SIX
Jacksonville	CO FACSFAC JAX
Cape Canaveral	CO NAVORDTESTUNIT, PATRICK AFB
Port Everglades Submarine OP-area	COMSUBLANT

Enclosure (1)

OPNAVINST 3100.5E

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Bermuda
Autec/Andros Island
Guantanamo Bay
Key West
Panama City

Pensacola
New Orleans
Corpus Christi
Puerto Rico
Southern California

Pacific Missile Range
Northern California

Northwest
Hawaii

CO USNAS BERMUDA
CO NUSC NEWPORT
COMFLTRAGRU, GTMO
CO NAS KEY WEST
CO NAVCOASTSYSNEN
PAN CITY
COMTRAWINGSIX
CO NAS NEW ORLEANS
CNATRA
COLANTFLTWPNTAFAC
CO FACSAC SDIEGO

COMPACMISTESTCEN
COMPATWINGSNEN

COMMATVAQWINGNEN
CO FLTRAGRU PHBR

4. The following areas and facilities occupy offshore waters. Matters involving non-DOD interest in these areas shall be referred to the CNO sponsor indicated:

Area/Facility

OPNAV Sponsor

Inshore Undersea Warfare Areas
Naval Facilities
R) Naval Defensive Sea Areas and Airspace
Reservation (OPNAVINST 5500.11D)

OP-03
OP-07
OP-09B22

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Navy Administration of the Continental Shelf
and Operating Areas

1. Policy. It is DOD and DON policy that offshore public lands, waters and overlying airspace be utilized, or to the extent feasible, be co-utilized in the highest national interest.

2. Constraints. DON is constrained in the establishment and administration of airspace and operating areas by:

a. International legal limitations on United States activities that may be applied to operating areas established in recognized international waters and airspace.

b. National laws assigning responsibilities to other governmental agencies for the navigation of the territorial seas, utilization of the seabed and subsoil of the continental shelf and the protection and enhancement of the environment.

c. State laws governing the use and administration of state lands including offshore public lands.

d. The establishment of an operating area by DON does not assert United States jurisdiction over that area. The establishment of any given operating area is an internal action by DON to provide guidance for Navy and Marine Corps utilization of those areas.

3. Purpose. Operating areas are established for the purpose of providing defined areas for the conduct of operations and training by U. S. and allied military and naval forces, for the conduct of research, development, test and evaluation of various systems and to facilitate scheduling of the areas by various military and civilian users.

4. Procedure for the Establishment, Modification or Disestablishment of Areas

a. Commands will forward requests for the establishment, modification or disestablishment of an area via the cognizant Area Coordinator listed in enclosure (1) to the Fleet Commander in Chief, with a copy to the Numbered Fleet Commander and other appropriate commanders concerned with the proposal. The Fleet Commander in Chief will review the proposal and approve, disapprove or endorse and forward the proposal following the appropriate procedure delineated in paragraph 5.

b. In a request for establishment or modification of an operating area, the originating command must consider the impact on the surrounding area, ecological balance, endangered species,

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R) projected requirements, possibilities of co-utilizing other areas, and the type and volume of commercial and recreational uses of the area. In accordance with the National Environmental Policy Act (NEPA) and OPNAVINST. 5090.1, an assessment of potential environmental impacts shall be prepared and submitted with the proposal, except when the proposed action will not alter a previously submitted Environmental Assessment (EA) or Environmental Impact Statement (EIS). Preparation of environmental documentation and fulfilling the public relations aspects of NEPA often requires significant lead time and always requires funding, which is the responsibility of the major claimant under O&M,N funding. Depending on contractual processing, preparation of an EA normally takes from 6 to 9 months and an EIS normally takes from 12 to 18 months to complete. Compliance under NEPA is not achieved for an EA until OP-45 approves a Finding of No Significant Impact (FONSI) and it is published in local newspapers or, for an EIS, until ASN(S&L) approves a Record of Decision (ROD) and it is published in the Federal Register. If the proposed action involves an area within the territorial limits of the United States, formal action by the cognizant Federal agency may be required. Upon completion of the environmental documentation and approval of the proposal, the command assigned responsibility will initiate the action to formally, establish the area.

c. Requests for the establishment or modification of an area must include the following:

- (1) Area name.
- (2) Area Coordinator.
- (3) Primary intended use.
- (4) Scheduling authority. Include the message address, autovon and commercial phone numbers.
- (5) Geographical coordinates of the area in degrees, minutes and seconds and altitude information, if applicable.
- (6) Target services to be available in the area, if applicable.
- (7) Prohibitions on use, if any.
- (8) Estimate of projected requirements for the area in terms of annual ship or aircraft hours.
- (9) Days of the week and hours of intended use in local zone time (LZT).
- (10) A chart of the proposed area.

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5. Submission. Requests for the establishment, modification or disestablishment of an area will be submitted to the Fleet Commander in Chief for approval, disapproval or endorsement according to the type of area involved as follows:

a. Special Use Airspace. Submit request to CNO (OP-554) via the Fleet Commander in Chief utilizing reference (b). (R)

b. Surface and Subsurface Operating Areas, airways/Free Lanes and Transit Lanes. Submit request via the appropriate scheduling and coordinating authorities to the Fleet Commander in Chief for approval. When approved, the coordinating or scheduling authority will issue the appropriate Notice to Mariners and request modification of the applicable charts and directives.

c. Surface Danger Zones. Those areas are published in Title 33, Code of Federal Regulations, Part 200 to end, revised annually and referred to on all U. S. nautical charts. All are within U. S. territorial waters. Submit request to the cognizant District Engineer, Corps of Engineers, U. S. Army via the Fleet Commander in Chief, copy to other appropriate commands.

d. Fleet Anchorage and Mooring Areas. Submit request direct to the Commander of the cognizant U. S. Coast Guard District with copy to the Fleet Commander in Chief, and Numbered Fleet Commander.