

PROPOSED AGREED UPON CHANGES TO THE
JUNE 7, 1974 MEMORANDUM OF UNDERSTANDING
BETWEEN THE DEPARTMENT OF THE INTERIOR AND THE
DEPARTMENT OF THE ARMY TO PROVIDE FOR CO-USE GRAZING
ON THE MCGREGOR RANGE IN NEW MEXICO

Section A

(2) The DOA will have fire control responsibility on McGregor Range. DOA will take reasonable fire suppression measures immediately upon discovery of fires on Otero Mesa or contiguous areas, where such fire threatens Otero Mesa and related grazing units. BLM will be notified immediately upon detection of fire on/or threatening Otero Mesa as well as other designated grazing units.

(3) All grazing contract fees collected by BLM will be subject to BLM accountability.

The portion of such funds being a ratio of Army acquired lands to total grazing lands will be maintained by the BLM to support projects on that portion of McGregor Range covered by this Memorandum of Understanding. These funds will be maintained in a 1920 reimbursable funds account by the BLM and used to support the programs as approved by the Commanding Officer for which the BLM has responsibility on McGregor Range. These programs are livestock forage, wildlife habitat and maintenance of range improvements but do not include maintenance or project work outside the grazing program on McGregor Range. Projects developed with the contributed funds normally will be limited to fence repair, firebreak maintenance, road maintenance relating to grazing use, perimeter signs, wildlife habitat and water developments. These projects will be performed in-house or contracted by BLM for Fort Bliss at the discretion of BLM. A maximum of 20% of Army contributed funds can be used for BLM overhead and administration costs. It is understood that this agreement is subject to the availability of BLM funds and manpower to perform the duties set forth herein.

(4) The Bureau of Land Management will at their discretion ascertain whether improvements constructed by grazing contractors under range improvement permits should be removed or left for future management needs on livestock grazing units. The Bureau of Land Management will have approving authority for all projects constructed by grazing contractors on grazing units within McGregor Range. The DOA will have approving authority for all projects outside grazing units on McGregor Range, and shall have authority to have BLM remove such range improvements anywhere on McGregor Range where mission requirements dictate and alternatives to removal are not feasible.

(8) The BLM recognizes and will comply with all cultural resource statutes and regulations for all BLM initiated or participating projects, wherever situated. The DOA recognizes and will comply with all cultural resource statutes and regulations for all DOA initiated or participating projects, wherever situated. Additionally, the BLM will have primary cultural resource management responsibility over Otero Mesa and other grazing areas as shown on Exhibit ____, attached. The DOA will retain primary cultural resource management responsibility over all other withdrawn lands, with the exception of National Forest lands which shall be managed by the Forest Service.

(9) Any new grazing units developed within the co-use area will be coordinated with, and subject to, the approval of the commanding General of the Center.

(10) The Department of the Army shall prohibit vehicular traffic off existing roads on Otero Mesa, and grazing units except in case of emergencies. No field training exercises utilizing vehicular traffic will be conducted on grazing units.

Section B

(4) Range improvements will include but not be limited to:

- (b) Maintenance of exterior fire breaks for McGregor Range grazing units will be the joint responsibility of the center and BLM. Maintenance of fire breaks will be coordinated between the center and BLM during February of each year. Interior fire breaks for McGregor Range Grazing units will be maintained by the Bureau of Land Management. Coordination will be initiated by BLM.

Section C. Stipulations

(4) DOA will have fire control responsibility on McGregor Range. DOA will take reasonable fire suppression measures immediately upon discovery of fires on Otero Mesa or contiguous areas, where such fire threatens Otero Mesa and related grazing units. Grazing contractors waive any and all rights of action which might accrue due to damage to persons or property if said damages are directly or indirectly caused by fire resulting from military operations or other causes on McGregor Range.

(7) Delete in total.

(11) Any range improvements constructed by grazing contractors will require approval by the Bureau of Land Management in the form of a range improvement permit. Prior to termination of the grazing contract the Bureau of Land Management will at their discretion ascertain whether improvements constructed should be removed or left for future management needs on grazing units.

(12) This grazing license will in no way prevent the United States Army Air Defense Center from establishing launching sites, erecting fire

towers, radar sites, and other similar construction and fencing of same, when required by military necessity. Any such necessity will be coordinated with BLM.

William A. Anderson

Colonel William A. Anderson
Director of Facilities Engineering
Fort Bliss

22 July 76
(Date)

Arthur W. Zimmerman

Mr. Arthur Zimmerman
New Mexico State Director
Bureau of Land Management

22 July 76
(Date)