

COOPERATIVE PLAN-AGREEMENT FOR CONSERVATION
AND DEVELOPMENT OF FISH AND WILDLIFE RESOURCES
ON THE MCGREGOR RANGE (FORT BLISS)

OCT 74

8. Preamble: In accordance with the authority contained in Title 10, United States Code, Section 2671, approved February 28, 1958, and in Public Law 86-797, approved September 15, 1960, the Department of Defense, the Department of Interior, and the State of New Mexico, through their duly designated representatives whose signatures appear below, approve the following Cooperative Plan-Agreement for the protection, development, and management of fish and wildlife resources on that portion of the McGregor Range (Fort Bliss) in the State of New Mexico.

This Cooperative Plan-Agreement does not include land in McGregor Range (Fort Bliss) covered under a Memorandum of Understanding dated November 11, 1971, between The United States Department of Agriculture, Forest Service and Department of The Army, Corps of Engineers.

B. Definitions. Hereafter in the agreement the following will apply:

1. The Commanding General, United States Army Air Defense Center, Fort Bliss, Texas, representing the Department of Defense and the military authority for portions of the Fort Bliss military reservation in the State of New Mexico, will be referred to as the "Center."

➤ 2. The Bureau of Sport Fisheries and Wildlife, acting for the Department of Interior, will be referred to as the "Bureau."

3. The Department of Game and Fish of the State of New Mexico, represented by the Director of said Department, will be referred to as the "Department."

4. The Bureau of Land Management acting for the Secretary of the Interior under Paragraphs C. 2. d. and C. 8. below will be referred to as "BLM."

C. Provisions. Whereas the United States Government has acquired possession of water rights on certain lands located in the State of New Mexico, delineated in a map herefore furnished the parties to this agreement and hereinafter referred to as McGregor Range (Fort Bliss).

Whereas the Center, the Bureau, BLM, and the Department have a mutual desire and interest that the wildlife populations of the said McGregor Range (Fort Bliss) in the State of New Mexico be properly managed; and

Whereas it is necessary that the Center, the Bureau, BLM, and the Department agree upon certain matters to the end that this area may best be managed from the standpoint of wildlife management consistent with the military mission and the responsibilities of the BLM on those lands in McGregor Range (Fort Bliss) (PLO 1470) contained in the Memorandum of Understanding between the Department of Interior and the Department of the Army, dated 18 March 1956, now, for and in consideration of the mutual promises of one party to the other, it is agreed:

→ 1. The Bureau, BLM, and the Department will provide the Center with technical advice and assistance in matters pertaining to fish and wildlife management in their respective areas of responsibility as outlined herein.

2. That an annual wildlife program for management, development, and/or research be developed.

a. That an annual survey be made to determine range condition and trend and wildlife abundance between March 1 and May 1. The Department will, each spring, initiate this survey and establish dates satisfactory to those parties wishing to attend.

→ b. An annual meeting of all parties to the agreement shall be held subsequent to the survey each year for the purpose of developing the annual program of research and future development and management of wildlife resources. The BLM will be responsible for calling said meeting.

c. All appropriate parties to this agreement will be advised of proposals, plans, and expenditures involving any of the above matters by any single party to this agreement.

→ d. Nothing herein will operate to interfere with the responsibilities of BLM on those lands in McGregor Range (Fort Bliss) (PLO 1470) under the Memorandum of Understanding between the Department of the Interior and the Department of the Army, dated 18 March 1966. With respect to those lands, BLM will exercise the authority of the Secretary of the Interior under P. L. 86-797 with liaison between BLM and the Bureau.

3. That hereafter during the term of this agreement the Center will furnish the Department at the specified time below a statement of dates during which it appears that portions of McGregor Range (Fort Bliss) can be opened for the following activity.

Statement by	Activity	Normal Season Occurs:
May 1	Antelope	October
May 1	Deer	November
May 1	Game Birds	Oct. - Jan.
May 1	Non-game Animals Management Program	Year round

4. The Center and the Department may open portions of McGregor Range (Fort Bliss) through mutual agreement to regulated hunting to military and public license holders provided that the open dates are authorized for federally regulated species. In the event the Center should cancel through necessity a hunting and fishing period, a new period, if possible, will be scheduled by mutual agreement.

5. The Department will determine annual regulations pertaining to taking of all wildlife species consistent with Federal regulations for migratory species.

➔ 6. It is mutually to the benefit of the Center and the Department to harvest annually the surplus wildlife crop; therefore, the following conditions shall herein become a condition for the hunts held on that portion of McGregor Range (Fort Bliss) lying within the State of New Mexico.

a. During the season both civilian and military personnel will adhere to military regulations, regulations of the State Game Commission, and Federal Game Laws.

b. Check stations will be jointly maintained by the Center and Department if a check station shall be deemed necessary for these parties. When a check station is designated, each person entering or leaving the hunting area for any purpose must check in and out in person at the location so designated. The Center and the Department representatives at the check station shall have authority and shall assign hunters to specified hunting areas and areas where camping may be allowed. Hunters shall hunt only on the area designated by the permit and shall not in any case trespass upon or enter into prohibited areas designated by the Center. Maps showing such prohibited areas shall be posted for the information of all concerned at each check station.

➔ c. For the purpose of license purchase while hunting that portion of McGregor Range (Fort Bliss) lying in the State of New Mexico any military personnel residing on McGregor Range 90 days prior to purchasing a license shall be recognized as a resident and subject to purchase of a resident ^{new} hunting and/or fishing license.

Personnel not residing on the McGregor Range (Fort Bliss) 90 days prior to purchasing a license can purchase the military license good only on ^{plus} McGregor Range only, or a non-resident hunting or fishing license that would be valid state-wide.

d. No portion of McGregor Range (Fort Bliss) will be kept open for hunting or fishing at a time when it will interfere with the military mission. During the time that the portions of McGregor Range are open for hunting or fishing such portions and places which are not open for hunting or fishing for military or security reasons shall be designated by the Center. Further, nothing herein shall be construed as giving representatives of the Department or Bureau, or BLM the right to be on the portions of McGregor Range at any time or place which shall interfere with the military missions thereof nor as granting them authority to be in the prohibited areas.

7. No property of the United States shall be subject to forfeit by laws of the State of New Mexico.

➔ 8. Any questions concerning cooperation in wildlife management shall be resolved by conference between the representatives of the Center and the Department and by ELM representatives on those lands in McGregor Range contained in the Memorandum of Understanding between the Department of Interior and the Department of the Army, dated 18 March 1966, and by Bureau representatives on military lands under Fort Bliss jurisdiction in the State of New Mexico exclusive of the lands specified in PLO 1470 and referenced Memorandum of Understanding, when responsibilities of the Department of Interior are involved.

➤9. No rodent or predator control programs will be initiated on those lands where BLM has responsibilities without the concurrence of the Las Alamos BLM District Office, the Bureau, the Center, and the Department.

➤10. This cooperative plan will be in full force upon its adoption until the time that any one member of the cooperative group shall render it terminated by so stating to the other members in writing thirty (30) days in advance of the date of desired termination. This plan is subject to amendment or revision which shall be accomplished by written proposal to the parties by their mutual agreement. Request for amendment, change, or termination shall originate with any one party.

John G. Gaddie
JOHN G. GADDIE Col, GS, D/O

6 OCT 1974

Date

5. Army Air Defense Center & Fort Bliss
El Paso, Texas 79916
representing the Department of Defense

William P. White

JUN 26 1974

Date

Regional Director
Bureau of Sport Fisheries & Wildlife
Game and Wildlife Service
Department of the Interior

Robert B. Huntington

5-30-74

Date

Deputy Director
Bureau of Land Management
Department of the Interior

Ed A. Gordon

6/7/74

Date

Director
Department of Game and Fish
State of New Mexico

Approved as to form and legal sufficiency this 7th day of June, 1974.

OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW MEXICO

By: James H. Russell
Special Assistant Attorney General