

MEMORANDUM OF UNDERSTANDING

between

United States Air Force/Luke Air Force Base
United States Marine Corps/Marine Corps Air Station Yuma
Department of Interior/U.S. Fish and Wildlife Service

establishing the

BARRY M. GOLDWATER RANGE
INTERGOVERNMENTAL EXECUTIVE COMMITTEE

I. Purpose

This Memorandum of Understanding (MOU) establishes the Barry M. Goldwater Range (BMGR) Intergovernmental Executive Committee (IEC), with the purpose of improving intergovernmental coordination in matters regarding the management of the BMGR. By statute, the U.S. Air Force and the U.S. Marine Corps have ultimate authority and responsibility for management of the land and interest in the land within the BMGR. The Department of Interior, by statute, has oversight responsibilities regarding the management of the BMGR. The Arizona Game and Fish Department has primary jurisdiction over resident wildlife within the BMGR except when preempted by federal law. It is recognized that other federal agencies, state agencies, Native American tribes, and local agencies may have questions and comments regarding the management of the BMGR lands and resources (Public Law 106-65, 5 Oct 1999). The IEC also provides a forum for public groups and private citizens to express their views regarding the management process.

II. Authority

All Parties - Military Lands Withdrawal Act of 1999 (Public Law 106-65, 10/05/99, Title XXX, Subtitle B, Sec. 3031 (b) (4) (A).

U.S. Air Force - Sikes Act (16 USC 670), The Department of the Air Force, Department of the Navy, Department of the Interior, and The State of Arizona (Cooperative Agreement).

U.S. Marine Corps - Sikes Act (16 USC 670); Cooperative Agreement

U.S. Fish and Wildlife Service - Fish and Wildlife Coordination Act (16 USC 661-667E, 668aa-668cc-6, Sikes Act (16 USC 670, et. seq.); Cooperative Agreement.

Arizona Game and Fish Commission - ARS 17-231(b)7, Sikes Act (16 USC 670); Cooperative Agreement.

III. Limitations

Participation in the Barry M. Goldwater IEC through this MOU does not expand or diminish any participating member's authority, responsibility or liability with regard to management of the BMGR beyond that established by law, Cooperative Agreement, regulation or policy, nor does participation otherwise modify the respective duties, obligations, rights,

privileges, or immunities of any party. Nothing in this document obligates any participating agency to expend funds in excess of appropriation authorized by law and administratively allocated for the purpose of management of BMGR lands or resources.

IV. Structure and Function

a. Membership

Membership in the IEC will be limited to those agencies (federal, state, and local) and/or Native American tribes that may have direct responsibility for, potential impact upon, or direct interest in, lands or resources on the BMGR. The IEC shall be comprised of selected representatives from responsible Federal agencies as well as at least one representative from the State of Arizona (Arizona Game and Fish Department) and at least one elected officer (or other authorized representative) from each local and Native American tribal government as may be designated at the discretion of the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Interior.

The Secretary of the Air Force and the Secretary of the Navy shall, in consultation with the Secretary of the Interior, appoint an individual to serve as Coordinator of the IEC. The coordinator shall not be a member of the IEC. The Coordinator's duties are described in the function and structure sub-paragraphs below.

b. Function

The IEC is established solely for the purpose of exchanging views, information and advice relating to the management of the natural and cultural resources of the BMGR lands withdrawn and reserved by Public Law 106-65 enacted on October 5, 1999.

At each meeting, representatives of the USAF, USMC, and DOI will present comprehensive briefings on BMGR management issues and procedures, as well as an update on ongoing projects that pertain to natural and cultural resources. The Coordinator may invite other agencies to report on their activities on the BMGR as needed. IEC members and the public may offer advice for improving BMGR management procedures and express their views pertaining to specific management policies or practices. IEC members and the public may present what they believe to be substantive issues, conflicts or other matters regarding BMGR resource management to the IEC for consideration and possible action. The IEC Coordinator shall be responsible for insuring that IEC issues, concerns, and advice pertaining to BMGR management are presented to the responsible management agency for consideration and possible action. The IEC Coordinator shall report to the IEC on BMGR management actions taken in response to IEC issues or views.

The IEC will meet at least every 4 months with additional meetings scheduled as necessary. At each meeting the IEC will agree on a date for the next meeting and approve an offer from an IEC member to host the meeting. The IEC Coordinator shall be responsible for writing and distributing the minutes of each meeting within thirty days and scheduling and preparing the agenda for the next meeting. The IEC meetings will be open to the public and

periodically will allow non-IEC members the opportunity to present opinions regarding BMGR management policy and procedures to the IEC for discussion and possible action.

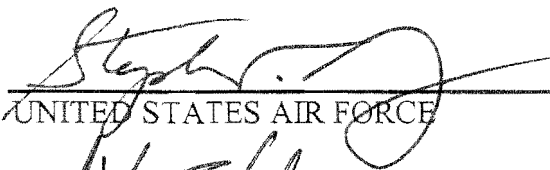

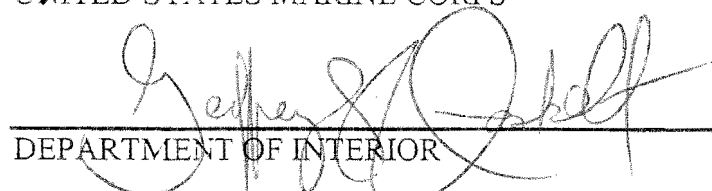
c. Structure

As a collaborative group, all members will be considered equals. Chairmanship and Vice-Chairmanship of the IEC will rotate among the USAF, USMC, and DOI on a biennial basis. In the event that a designated agency representative cannot attend a meeting, the agency may appoint an alternate to attend and participate in his/her place. The alternate will have the same rights, privileges and responsibilities as the appointed agency representative.

The IEC as a whole will be supported by the USAF, USMC, and the DOI as necessary. It will be the responsibility of the IEC coordinator to facilitate this support. Support for individual agency representatives will be the responsibility of each individual agency.

V. This MOU will be reviewed at least every five years by the USAF, USMC, and DOI to determine if it needs modification. The MOU may be modified at any time at the request of the IEC and approval of the USAF, USMC, and DOI. The MOU will become effective immediately on the date the last signature is affixed. Other governmental agencies and Native American tribes with interests in the BMGR may petition the IEC Coordinator for membership in the IEC. The Coordinator will submit their request to the USAF, USMC, and DOI for consideration/approval. Non-management agencies may withdraw from the IEC at any time upon written notice to the IEC Coordinator.

VI. Approval

 UNITED STATES AIR FORCE	28 NOV 2001 DATE
 UNITED STATES MARINE CORPS	30 NOV 2001 DATE
 DEPARTMENT OF INTERIOR	DEC 27 2001 DATE