

**MEMORANDUM OF AGREEMENT
(MOA) BETWEEN THE
THE DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT
AND
THE DEPARTMENT OF THE AIR FORCE GOVERNING THE
TEMPORARY CLOSURE OF CERTAIN PUBLIC LANDS ADJACENT TO THE
UTAH TEST AND TRAINING RANGE (UTTR)**

I. PURPOSE

The purpose of this Memorandum of Agreement (MOA) between the Department of the Interior and the Department of the Air Force (hereby after referred to jointly as the Party/Parties) is to cooperatively define the temporary closure process of certain public lands in accordance with the 2017 National Defense Authorization Act (NDAA).

II. BACKGROUND

Continued development of advanced weapons necessitates enhanced test and training requirements in the UTTR. The authorities granted in the 2017 NDAA enable enhanced weapons testing by authorizing temporary closure of public lands adjacent to the UTTR. This MOA describes the means by which the Bureau of Land Management (BLM) acting as the execution agency for Department of the Interior and the Headquarters UTTR acting as the execution agency for the Department of the Air Force will coordinate and implement temporary closures/responsibilities affecting the eight areas of public land (depicted in attachment 1), hereafter addresses as Buffer Areas 1-8. These eight areas are the only BLM-managed lands affected by this MOA.

III. IMPLEMENTATION

1. Headquarters UTTR (HQ UTTR) shall:

- 1.1. Serve as the range operating authority responsible for the planning, scheduling, and execution of operations conducted in the Utah Test and Training Range and will execute closures in accordance with (IAW) the 2017 NDAA.
- 1.2. In order to minimize the impact to public land and users, notify BLM, the Community Resource Advisory Group, state agencies, Dugway Proving Ground leadership, and provide public notice of planned closures in accordance with the timelines established in the 2017 NDAA.
 - 1.2.1. Post notices at the locations displayed in attachments 2-9 IAW 2017 NDAA timelines.
 - 1.2.2. Host and distribute planned closure of Buffer Areas via a public web site.
 - 1.2.3. Be the lead agency for Public Affairs issues related to the temporary closures.
- 1.3. Survey Buffer Areas upon closure and protect any un-evacuatable locations (due to emergencies or situations coordinated in advance) IAW Range Commanders Council (RCC) risk standards.

- 1.4. Post road guards at the locations depicted in attachments 2-8 or as agreed to via direct coordination with BLM to close the respective Buffer Area.
 - 1.4.1. Specific County law enforcement is the preferred road guard implementation method (reimbursement as negotiated) but not required.
 - 1.4.2. Provide any person/persons requesting access during a temporary closure the written notice of closure.
 - 1.4.3. Only restrict public entrance to the Buffer Areas the minimum time required to execute mission requirements.
 - 1.4.4. Release all road guards immediately if emergency response is required to any location within or thru a Buffer Area.
 - 1.4.5. Protect emergency response locations IAW Range Commanders Council standards.
 - 1.4.6. Release all road guards immediately upon mission completion within the individual Buffer Area.
2. The BLM shall:
 - 2.1. Continue to manage the BLM IAW with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and applicable land use plans.
 - 2.2. Allow the temporary closure of the BLM land in accordance with the NDAA Subtitle A.
 - 2.3. Relay any impacts to the temporary closure planning/scheduling to HQ UTTR when/if known.
 - 2.4. Coordinate Buffer Area use IAW the 2017 NDAA.
 - 2.5. Host a link to the UTTR public web page described in paragraph 1.2.2 on the agency public web page.
 - 2.6. Post Temporary Closure Notices in appropriate field offices when received.
 - 2.7. Consult with the HQ UTTR before issuing new use permits or rights-of-way on the BLM-managed lands.
 - 2.7.1. If the BLM Field Office receives an application that it is considering for a new use permits or rights-of-way on the BLM land, the BLM Field Office will contact HQ UTTR via email and provide the details of the application. The HQ UTTR will be provided 15 days to review and identify if there is a need to consult further on the application. A lack of response from HQ UTTR within the 15 days signifies a neutral position in the application and BLM may proceed.
 - 2.7.2. Existing renewals, without modifications, of permits or rights-of-way, or other valid existing rights, do not require consultation with HQ UTTR except as required by law.
 - 2.7.3. If the HQ UTTR objects to an application that BLM has provided, the parties will meet and discuss. If a disagreement is identified between HQ UTTR and the BLM Field Office over the issuance of a permit or right-of-way, the disagreement will be elevated to the BLM District Manager and/or BLM State Director for resolution.

IV. CONTINGENCIES

In the extremely unlikely event that a test object should land off DoD land, every effort will be made to immediately identify the location and status of any resulting damage. This will be immediately relayed to local authorities, the Bureau of Land Management and through DoD reporting channels. The Air Force will fully remediate the affected land, returning it to original condition and providing local authorities and Bureau of Land Management officials a description of the event and the ensuing corrective actions. The BLM retains incident final remediation approval authority for federal lands in Buffer Areas 1-8.

V. AUTHORITY

This MOA is carried out within statutory guidance of the 2017 NDAA.

VI. EFFECTIVE DATE

This MOA shall become effective upon the latter date of the signature of the Secretary of the Interior and the Secretary of the Air Force, or designated representatives. It shall remain in effect for 25 years unless the Secretary of the Air Force determines the temporary closure of BLM land is no longer necessary to fulfill mission requirements or 180 days following notification in writing by either party.

VII. AMENDMENTS

This MOA may be modified or amended only by mutual written agreement between the Secretary of the Interior and the Secretary of the Air Force.

EDWIN ROBERSON
State Director, Utah
Bureau of Land Management

Date

SURYA J. FRICKEL, Col, USAF
Commander, Utah Test and Training Range

Date