

**1.0 PURPOSE AND NEED FOR RENEWAL OF THE  
McGREGOR RANGE LAND WITHDRAWAL**

**1.1 INTRODUCTION**

This *Legislative Environmental Impact Statement (LEIS)* has been prepared in support of an application by the United States (U.S.) Army (referred to as Army) to renew the withdrawal of McGregor Range which is critical to maintaining our nation's military readiness. The following section provides a general introduction to this proposal (Section 1.1). Subsequent sections discuss the purpose and need (Section 1.2), the land withdrawal renewal process (Section 1.3), decisions to be made (Section 1.4), scope of the LEIS (Section 1.5), and other regulatory requirements (Section 1.6).

McGregor Range, located in Otero County, New Mexico, has supported the military mission of the U.S. Army at Fort Bliss from the 1940s to the present. In 1986, the public lands comprising McGregor Range were withdrawn from the public domain for a period of 15 years through the *Military Lands Withdrawal Act (MLWA)* (Public Law [PL] 99-606). This withdrawal expires November 6, 2001. To continue the military use of these public lands, the Army must apply for continuation of the withdrawal in accordance with the *Engle Act of 1958*, which requires an Act of Congress for military withdrawals encompassing more than 5,000 acres.

McGregor Range is comprised primarily of public lands, which are lands owned by the Federal Government and administered by the Department of the Interior (DOI), Bureau of Land Management (BLM), pursuant to the *Federal Land Policy and Management Act (FLPMA)* (PL 94-579), and other public land laws. At McGregor Range, the public lands have been withdrawn from the provisions of various public land laws for military use. Public lands comprising the range were subsequently withdrawn through Public Land Order (PLO) 1470 in 1957 for a period of 20 years. At that time, private ranch holdings were interspersed with public lands. These private lands and interests were purchased by the Army and are now owned in fee by the Army. Portions of those lands were first leased by ranchers to the Army during the 1940s. The PLO withdrawing McGregor Range expired in 1977, but the legislation required by the *Engle Act* to continue the withdrawal was not passed until 1986 when Congress enacted PL 99-606. Throughout the intervening period, the Army continued its mission on McGregor Range under an agreement with the DOI.

Fort Bliss administers, trains, and deploys active duty U.S. Army, Army National Guard, Army Reserves, and other service personnel and units. Periodic exercises involve units from other installations, and from other services and allied nations. Units are organized, trained, and equipped for national emergency or crisis and overseas deployment. McGregor Range supports the training requirements of a variety of U.S. and allied units, as well as other federal agencies.

**1.2 PURPOSE AND NEED FOR THE LAND WITHDRAWAL RENEWAL**

The mission of the nation's military is to defend the U.S. and to secure and enhance U.S. interests and policies around the world, which includes ensuring strong relations with our allies, deterring aggression, and protecting our rights of trade and travel. Military power is also required to deter competing military activities, compel nations and organizations with hostile intentions to re-evaluate their plans and, if necessary, fight and win any conflict with a potential enemy. In addition, the U.S. military is currently expected to participate in a broad range of conflict prevention, peacekeeping, and civil support activities.

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Military power is composed of a wide range of elements, the most central of which include the quality of: (1) personnel, (2) training, (3) equipment, (4) infrastructure, (5) maintenance, and (6) logistic capability. McGregor Range provides a challenging, realistic training environment necessary for retaining quality soldiers by providing world-class training at both the individual and unit level. McGregor Range also provides unique capabilities for the operational test and evaluation of weapon systems. As doctrine and weapon system capabilities continue to evolve, ranges such as McGregor Range will assume greater importance in providing capabilities in validating these concepts and systems in conditions similar to those expected during wartime.

Realistic training that fully engages military capabilities is the primary means to ensure readiness and prepare our military to fight and win in combat. This training is central to the way the U.S. Armed Services fight. Effective training consists of a careful progression of exercises directed at individuals, crews, and units. All training exercises are fully evaluated to provide feedback and lessons learned for the development of future tactics and doctrine. Whether training is conducted at the individual level or as a full-scale field exercise, realistic training is critical to maintaining military proficiency, and the ability to evaluate the effectiveness of training is central to ensuring the readiness of military forces to respond to threats wherever they arise. Joint and combined training exercises have improved U.S. operability and understanding of the strengths of each military service, as well as those of our allies. Training of our nation's military is performed at military installations and ranges such as McGregor Range.

To be effective, a training range must provide sufficient land and airspace to conduct training at realistic distances. Access to a variety of conditions (e.g., simulated threats, operational space, topographic relief, and safety constraints) and scheduling availability are also important characteristics for a training range. Existing ranges are utilized to the greatest extent possible, while maintaining stewardship of the lands and its resources. Our forces require training areas of the size and configuration of McGregor Range to realistically prepare soldiers and units for known and emerging threats to our nation and its interests, and to test and refine innovative concepts and new strategies to deter, compel, and if required, to fight and win.

The primary mission of Fort Bliss is to train U.S. air defense soldiers, to develop weaponry, and to ensure that the U.S. and its allies possess an air and missile defense capability against all threats. The Patriot missile is the cornerstone of the Army's integrated air defense system. Patriot soldiers are among the Army's most frequently deployed air defense forces and are equipped with the world's most technologically advanced missile defense system. During the Persian Gulf War, the Patriot missile system intercepted Iraqi Scud missiles before they hit their targets. Patriot troops from Fort Bliss are deployed to Korea, Europe, and the Middle East, where they provide critical air defense for U.S. forces and local populations.

U.S. military strategy requires armed forces that are trained, equipped, and ready to defend our nation's interests. McGregor Range is necessary to:

- Provide sufficient space to conduct realistic and challenging military training for our nation's military forces;
- Train soldiers to use the Patriot, Avenger, Stinger, Bradley Linebacker, Hawk, and other advanced weapons systems;
- Maintain high operational readiness standards;
- Develop and test future concepts for war fighting; and
- Integrate Army, Navy, Air Force, and Marine Corps elements through joint field training exercises (FTXs) such as Roving Sands.

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The air defense training conducted at McGregor Range ensures the U.S. the ability to:

- Intercept and destroy both aircraft and missiles in flight.
- Intercept and destroy other aerial platforms (i.e., unmanned aerial vehicles).
- Protect U.S. military forces and civilian populations from air attack at home and abroad.

The people of the U.S. have invested heavily in the technological components of the military and the infrastructure of the existing training ranges. Replacement or relocation of McGregor Range would require a substantial new investment. Additionally, the capability to support emerging concepts and doctrine related to war fighting (such as Army Force XXI and Army-After-Next) would be significantly impacted because of the spatial requirement that these operations will require.

The Army has a long history of developing innovative approaches to future warfighting challenges. The operational plan for the early 21<sup>st</sup> century, Army Force XXI, and its follow-on, Army-After-Next, is being designed with organizations and capabilities that will allow it to be rapidly tailored, strategically deployable, and effectively employable in joint and multinational operations. Army Force XXI provides rapid and effective response to changing situations and local conditions. Mission planning and rehearsal will be conducted simultaneously with the build-up of decisive forces, as automated systems and simulations, capable of operating from ships and aircraft, provide the capability to plan, coordinate, and war game possible courses of action while forces are en route.

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Vastly improved capabilities of long-range missiles with smart submunitions, precision weapons delivered throughout the battlespace, and attack helicopters capable of operations deep within enemy forces, integrated with an air campaign, are critical to ensuring that national objectives are met. Army Force XXI operations, must be fully integrated as the land force commander draws from a suite of complementary capabilities of each service, our allies, and other government and nongovernment organizations. The training and test activities conducted on McGregor Range are critical to achieving the expectations set for Army Force XXI and its follow-on in national preparedness planning, the Army-After-Next.

### **1.2.1 Overview and History of McGregor Range**

Fort Bliss, a U.S. Army Training and Doctrine Command (TRADOC) installation, is comprised of approximately 1.12 million acres of land in Texas and New Mexico. The Main Cantonment Area of Fort Bliss is located adjacent to El Paso, Texas. The installation also includes McGregor Range (which is the subject of this LEIS) and Doña Ana Range–North Training Areas in New Mexico, and the South Training Areas in Texas (Figure 1.2-1).

The area encompassed by the current boundary of McGregor Range (Figure 1.2-2) includes approximately 608,385 acres of withdrawn public lands and 71,083 acres of Army fee-owned lands within Otero County, New Mexico (Table 1.2-1). McGregor Range also includes 18,004 acres of U.S. Forest Service (USFS) lands, which are used by the Army in accordance with a Memorandum of Understanding (MOU) between the USFS and the Department of the Army (DA) Fort Bliss. There are also Army fee-owned in-holdings within the Lincoln National Forest. The USFS lands are not part of the withdrawal application. The range is surrounded by lands administered primarily by the BLM and USFS to the north and west, with pockets of privately owned lands to the east which are used for ranching. To the south and west, are withdrawn and Army fee-owned lands in El Paso County, Texas, and Otero and Doña Ana counties in New Mexico.



**Figure 1.2-2. Ownership of Land Encompassed by McGregor Range and Surrounding Area  
(118a.vb).**

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**Table 1.2-1. McGregor Land Status Summary**

<i>Land Status</i>	<i>Acres</i>
Public Land (withdrawn, PL 99-606) *	608,385
Army fee-owned land throughout withdrawn area	71,083
Lincoln National Forest (cooperative use area)	18,004
<i>Total</i>	<i>697,472</i>

\* Included in this withdrawal application.

The withdrawn lands within McGregor Range are managed by the Army and the BLM in accordance with an MOU signed in 1990 (Appendix A). The MOU expires in the year 2001, unless canceled or renewed before then. The Fort Bliss environmental management programs are directly applicable to all lands and military activities on McGregor Range. The environmental management program on McGregor Range interfaces with BLM's White Sands *Resource Management Plan (RMP)* (BLM, 1986a) through the McGregor Range *Resource Management Plan Amendment (RMPA)* (BLM, 1990a). The responsibilities of Fort Bliss and the BLM are specified in the MOU concerning policies, procedures, responsibilities related to land use planning and resource management of McGregor Range (BLM, 1990b).

The BLM recognizes that Fort Bliss missions have priority use on McGregor Range and will secure Fort Bliss concurrence before authorizing any nonmilitary uses. The BLM has managerial responsibilities for public use of the withdrawn land, as enumerated in PL 99-606. However, the daily uses are subordinate to the military missions and uses of McGregor Range.

### **1.2.2 The U.S. Army Mission at Fort Bliss and McGregor Range**

Fort Bliss is one of 16 installations under the management of TRADOC. It is the home of the U.S. Army Air Defense Artillery Center and Fort Bliss (USAADACENFB), the U.S. Army Air Defense Artillery (ADA) School, and over 30 partner units and organizations. It is the second largest Army post, and is the only troop training installation in the U.S. capable of supporting long-range overland missile firings. Activities supported by Fort Bliss include troop and equipment training, as well as air defense and air-to-ground training, and ground maneuver training. Fort Bliss is comprised of a complex of facilities, training areas, and ranges to support training and test activities of the Army and other organizations, including the Main Cantonment Area, and the Fort Bliss Training Complex: McGregor Range, Doña Ana Range–North Training Areas, and South Training Areas (Figure 1.2-1). The training areas located on McGregor Range are illustrated on Figure 1.2-3. The Main Cantonment Area, Doña Ana Range–North Training Areas, and the South Training Areas will be discussed in this LEIS only as they pertain to cumulative impacts on McGregor Range.

#### **1.2.2.1 Unit Stationing**

Currently, four air-defense brigades assigned to the U.S. Army Forces Command (FORSCOM) are stationed at Fort Bliss. These units utilize McGregor Range to support firing of Patriot missiles, unit FTXs, and individual training at the Meyer Range Complex. The U.S. Army Combined Arms Support Battalion (USACASB) provides the management, control, maintenance, and operation of the Fort Bliss field training areas, including McGregor Range. The organization's responsibilities also include scheduling and controlling the overlying airspace (Restricted Area R-5103), range camps, and associated facilities and equipment.

**Figure 1.2-3. McGregor Range Training Areas (074).**

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The ADA School educates and trains U.S. military students (active duty and reserve components), civilians, and students of selected allied forces, in air defense artillery and other subjects that support the air defense mission. The 6<sup>th</sup> ADA Brigade supports the ADA School through advanced individual training, and supports training of U.S. Army, Army National Guard, Army Reserves, Marine Corps, allies, and other students. The 6<sup>th</sup> ADA Brigade operates in a semi-classroom environment on McGregor Range with limited field exercises. The 6<sup>th</sup> ADA Brigade uses McGregor Range for training with Bradley Linebacker, Avenger, and man-portable Stinger missiles.

1.2.2.2 Installation Strength

The most recent Fort Bliss authorized strength data available, used in this LEIS, is from the *Army Stationing and Installations Plan (ASIP)* for fiscal year (FY) 96 through FY 02, dated September 17, 1996 (U.S. Army, 1996a). Table 1.2-2 presents the peacetime authorized strength in 1990, FY 96, FY 97, and that anticipated for Fort Bliss from FY 98 through FY 02, which are the only years available for analysis.

**Table 1.2-2. Peacetime Authorized Strength, FY 90 and FY 96 through FY 02**

	<i>FY 90</i>	<i>FY 96</i>	<i>FY 97</i>	<i>FY 98</i>	<i>FY 99</i>	<i>FY 00</i>	<i>FY 01</i>	<i>FY 02</i>
Officers	1,960	1,470	1,520	1,520	1,540	1,510	1,470	1,520
Warrant Officers	340	190	250	250	250	240	240	250
Enlisted	16,000	8,980	9,670	9,520	9,790	9,440	9,190	9,820
Civilian Employees	7,790	7,520	7,420	7,350	7,400	7,400	7,400	7,400
<i>Total Population</i>	<i>26,090</i>	<i>18,160</i>	<i>18,860</i>	<i>18,640</i>	<i>18,980</i>	<i>18,590</i>	<i>18,300</i>	<i>18,990</i>

Source: U.S. Army, 1996a.

These numbers are rounded to the nearest ten authorized positions. Currently, all authorized positions at Fort Bliss directly or indirectly support activities conducted on the Fort Bliss Training Complex, including McGregor Range.

McGregor Range also supports training during periods of mobilization. Mobilization is the process of assembling and organizing national resources to support national objectives in time of war or other emergencies. Mobilization involves the deployment of active duty, reserve, and National Guard units and individuals; and conversion of installations to long-term mobilization mission training, and medical and support centers. During periods when various phases of mobilization occur, the number of personnel assigned to Fort Bliss for various periods will increase. Table 1.2-3 presents the mobilization strength anticipated for Army Reserve and National Guard units assigned to Fort Bliss during the phases of deployment and mobilization, leading to a sustaining base for full mobilization. The additional Army Reserve and National Guard personnel associated with deployment and mobilization are categorized into three groups: Force Support, Regional Conflict, and Sustaining Base.

**Table 1.2-3. Mobilization Authorized Strength**

	<i>Force Support</i>	<i>Regional Conflict</i>	<i>Sustaining Base</i>	<i>Total</i>
Army Reserve	340	1,820	5,620	7,780
National Guard	1,950	4,330	2,160	8,440
<i>Total</i>	<i>2,290</i>	<i>6,150</i>	<i>7,780</i>	<i>16,220</i>

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Only the last group, Sustaining Base personnel, would remain at Fort Bliss for the duration of any conflict. Personnel of the other two groups would remain at the installation for relatively short periods of time prior to their deployment. In the absence of specific information regarding the duration of stay and the levels of expenditures by personnel during such times, a number of programmatic assumptions are made to enable quantitative analysis. To estimate effective mobilization strength, it is assumed that the duration of the hypothetical regional conflict would be 1 year. It is assumed that the number of Sustaining Base personnel at the installation could increase by 7,780. Personnel associated with both the Force Support Package (2,290) and Regional Conflict (6,150) categories (8,440 total personnel) are assumed to remain at the installation for an average of 1 month. Thus, the 8,440 such personnel equate to 703 full-time equivalent (FTE) personnel. It is assumed that all these additional personnel would reside in facilities located on the main cantonment or at installation range camps including McGregor Range Camp.

Effective personnel levels during peacetime and mobilization conditions through FY 02 and beyond are not expected to go beyond the ASIP peacetime authorization plus the (7,780 + 703 FTE) mobilization personnel. The potential strength of the installation could vary up to 27,500 personnel, or slightly more than the strength of the installation during 1990. However, since mobilization requires separate congressional action, the peacetime authorized strength and potential future uses of the training complex including McGregor Range are assumed for the LEIS.

Based upon installation capabilities, there could be additional construction and training capabilities developed. The most noticeable change would be the addition of a training exercise involving two brigades. Such an exercise could involve a total of up to 10,000 personnel and have a duration of 2 weeks (or an equivalent of 383 FTE personnel). Changes based upon temporary personnel would raise the FTE strength in FY 02 to approximately 19,370.

#### 1.2.2.3 Mission Activities on McGregor Range

Mission activities conducted on McGregor Range include training to maintain the operational readiness of active duty, reserve, and National Guard units through various training, operations and field exercises, and testing as discussed below.

*Unit FTXs.* While some training land is located within the Main Cantonment Area to support unit and classroom training near the administrative and maintenance facilities, the majority of the FTXs associated with readiness training is conducted on the Fort Bliss Training Complex. Field exercises include various combinations of training, field operations, communications, command and control, simulated enemy contact, camouflage, smoke generation, and weapons firings. With five air defense brigades assigned to Fort Bliss, use of McGregor Range training areas is paramount to maintaining combat readiness. This includes use for tactical deployment, air defense operations, and air defense firing sites for missile firings. Other typical use of the Fort Bliss Training Complex includes the Mobilization Army Training Center (MATC) for 5 to 10 weeks per year to support training of reserve and National Guard units. U.S. Marine Corps (USMC) Hawk training also is conducted on the range complex. Table 1.2-4 shows typical McGregor Range usage during 1996. Throughout the year, FTXs are conducted on McGregor Range by units that are located at Fort Bliss and at other Army and service installations.

*Joint Training Exercises (JTXs).* Each year JTXs are held at Fort Bliss. The most notable of these is the Roving Sands exercise. Roving Sands is a JTX coordinated by the Chairman, U.S. Joint Chiefs of Staff (USJCS), scheduled by the U.S. Atlantic Command, and sponsored by FORSCOM. This JTX is the only exercise that actually plans and executes multi-service integrated air defense operations that involve all four military armed services. Participation in Roving Sands has increased from approximately 10,000

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**Table 1.2-4. Typical Units Supported by McGregor Range**

<i>Unit</i>	<i>Component</i>	<i>Home Location</i>	<i>Range Area Used</i>	<i>Billets</i>	<i>Personnel</i>	<i>Length of Stay (Days)</i>
208 <sup>th</sup> Signal	Active	Fort Bliss, TX	Meyer Ranges	None	40	2
2/6 ADA	Active	Fort Bliss, TX	McGregor – Short-range Air Defense (SHORAD)	None	100	1
70 <sup>th</sup> Ordnance	Active	Fort Bliss, TX	McGregor - TA 8	McGregor	300	15
7/6 Cavalry	Reserve	Conroe, TX	McGregor - Cane Cholla, Doña Ana - Ranges 40/48/49	McGregor	260	14
3/4 ADA	Active	Fort Bragg, NC	McGregor - Drop Zone, SHORAD Range	McGregor	198 150	14 19
3/1 Special Forces Group (SFG)	Active	Fort Lewis, WA	McGregor, Meyer Ranges, Doña Ana Range–North Training Areas	Doña Ana	100	52
1/5 SFG	Active	Ft. Campbell, KY	McGregor - Training Areas, Meyer Ranges, Doña Ana Range–North Training Areas	McGregor Doña Ana	200	36
Japanese Annual Service Practice	Allied	Japan	McGregor - Tactical Air Control (TAC)	McGregor	100	90
1/82 Aviation	Active	Fort Bragg, NC	McGregor - Hellfire firing	McGregor	N/A	4
Combined Federal Officer Training	Law Enforcement Agencies	El Paso, TX	Meyer Range, Doña Ana Range–North Training Areas	McGregor	35	7
1/3 SFG	Active	Fort Bragg, NC	McGregor - Training Areas, Meyer Ranges, Drop Zones	McGregor	95	36

personnel in 1994 to 18,000 in 1996 and 20,000 in 1997, and includes troops from the U.S., Canada, Netherlands, United Kingdom, and Germany. Field training was conducted for approximately 2 weeks following a 1-week deployment period, and concluded with a 1-week redeployment of forces. In 1998, the Roving Sands exercise was reduced in scale from previous years because of the build-up of U.S. forces in the Persian Gulf. In April, approximately 5,000 to 6,000 troops gathered in the El Paso area for the exercise. A process to select exercise sites on McGregor Range has been incorporated in the planning of all Roving Sands exercises. The site-selection process emphasizes avoidance or minimization of adverse impacts to breeding birds and mammals, threatened or endangered species, soil, water supplies, historic resources, and other significant resources. Ground activities are limited to established training ranges, and sites that have been cleared for historic resources and endangered species on McGregor Range.

Each year following Roving Sands, a live Firing Exercise (FIREX) occurs. This FIREX is the largest density of missile firing at McGregor Range and usually lasts for 1 week, with over 6 units participating.

In addition to the Army ADA brigades, USMC, German, and Dutch units typically fire 4 types of missiles in the following approximate quantities: 8 to 10 Hawk missiles; 14 to 15 Patriot missiles; 56 to 60 Stinger missiles; and 8 to 10 Roland missiles.

*Allied Units.* Danish, Belgian, German, Japanese, and other allied air defense units have conducted annual service practices on the Fort Bliss Training Complex for over 30 years. The Japanese Self-defense Force (JSDF) uses McGregor Range for training with the Hawk and Patriot missiles. During 1996, the JSDF participated in their 32<sup>nd</sup> consecutive Annual Service Practice (ASP), which was held from August

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through December. In 1996, the JSDF deployed 17 Hawk units and fired 17 missiles with 634 Japanese soldiers participating in the Hawk firings. The JSDF deployed 24 Patriot units to McGregor Range and fired 30 Patriot missiles. A total of 833 Japanese soldiers participated in the Patriot firings. The JSDF training with Hawk and Patriot missiles is expected to remain an annual constant for the foreseeable future. Allied units may fire other weapon systems consistent with range capabilities.

The White Sands Missile Range (WSMR) uses the Fort Bliss Training Complex for limited tests. Operations directed by Test and Experimentation Command (TEXCOM), Air Defense Artillery Test Directorate (ADATD), U.S. Army Missile Command (MICOM), and WSMR Office of Test Directorate (OTD), use Training Areas (TAs) 3A through 7D with restricted airspace R-5107A and the SHORAD and Orogrande ranges within restricted airspace R-5103. WSMR may also use McGregor Range as a secondary safety zone for some tests. The following discussion describes representative test activity conducted on McGregor Range during 1996.

Four tests of various equipment systems that were conducted on McGregor Range during 1996 are described below.

1. The Force Development Test and Experimentation (FDTE) for Patriot Advanced Capabilities (PAC-3) configuration was held February through March 1996, on McGregor Range, Orogrande Range, and the Doña Ana Range–North Training Areas.
2. A Follow-on Operational Test and Experimentation (FOTE) of the Patriot PAC-3 system was conducted during May and June 1996 on McGregor and Orogrande ranges, and Doña Ana Range–North Training Areas.
3. An Initial Operational and Test Evaluation (IOTE) of the Bradley Stinger Fighting Vehicle-Enhanced (BSFV-E) also was conducted during May 1996 on McGregor and Orogrande ranges, and Doña Ana Range–North Training Areas. The system under test included four BSFV-E firing units. They were deployed within a forward area air-defense concept, with the mission of providing low-altitude air defense to a simulated heavy maneuver force.
4. During October and November 1996, an IOTE of the Joint Tactical Information Distribution System (JTIDS) was conducted on Orogrande Range. The test was conducted to verify the operational effectiveness and suitability of the JTIDS Class 2M terminal that supports Army air and missile defense units mission needs, and its inter-operability with Air Force and Navy elements using Class 2H terminals.

### **1.3 LAND WITHDRAWAL RENEWAL PROCESS**

The process for renewing the withdrawal of public lands comprising McGregor Range is governed by a number of interrelated laws and regulations, including the following:

- The *Engle Act of 1958*, which requires an Act of Congress for all military withdrawals of 5,000 acres or more. The *Engle Act* provides the umbrella legislative authority for the MLWA and the proposed legislation to renew the McGregor withdrawal.
- The MLWA of 1986 established the current withdrawal of McGregor Range through November 6, 2001. The MLWA includes provisions for renewing the withdrawal and requires the Secretary of the Army to prepare a draft LEIS no later than November 6, 1998, if the Army wishes to continue military use of McGregor Range. It also requires the Secretary of the Army to file an application with

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the DOI for the continued withdrawal of McGregor Range, in accordance with DOI's land withdrawal regulations and procedures.

- The FLPMA (PL 94-579, October 21, 1976) was enacted by Congress “to establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes.” It is the primary legislation guiding the BLM in its responsibility to manage the public lands and resources in a combination of ways that best serve the present and future needs of the American people.
- The *Land Withdrawal Regulations* (43 Code of Federal Regulations [CFR] Part 2300) describe the rules and procedures implementing the Secretary of the Interior's authority to process land withdrawal applications. The application for the renewal of McGregor Range will be processed in accordance with 43 CFR Part 2300.

The relationship among these laws and regulations is illustrated in Figure 1.3-1. As outlined in 43 CFR Part 2300, the land withdrawal process consists of the following steps: pre-application consultations; application and publication of the application in the *Federal Register*; preparation of supporting studies and reports including this LEIS, for a case file; preparation of BLM recommendations; transmittal of the case file to the Director of BLM and Secretary of the Interior; draft legislation and the case file submitted to Congress; and legislative action by Congress. Table 1.3-1 lists the studies and documentation performed and provided in compliance with the Land Withdrawal regulations.

#### **1.4 DECISIONS TO BE MADE**

This LEIS provides the analysis and documentation of environmental effects to enable Congress to make an informed choice regarding the McGregor Range land withdrawal. The specific alternatives analyzed include:

**Alternative 1.** The current boundaries of McGregor Range land withdrawal would remain the same.

**Alternative 2.** The Tularosa Basin and Otero Mesa portions of McGregor Range would be withdrawn for continued military use. The Sacramento Mountains foothills portion of McGregor Range, including the Culp Canyon Wilderness Study Area (WSA), would return to the public domain.

**Alternative 3.** The Tularosa Basin portion of McGregor Range would be withdrawn for continued military use. The Otero Mesa and Sacramento Mountains foothills portions of McGregor Range would return to the public domain.

**Alternative 4.** The Tularosa Basin portion of McGregor Range south of New Mexico Highway 506 would be withdrawn for continued military use. Otero Mesa, the Sacramento Mountains foothills, and the portion of Tularosa Basin north of New Mexico Highway 506 would return to the public domain.

**Alternative 5 (No Action Alternative).** The withdrawal of McGregor Range would not be renewed and the land would return to the public domain.

**Alternative 6.** Congress could designate the Otero Mesa and Sacramento Mountains foothills as a National Conservation Area (NCA) and Culp Canyon as a wilderness area on lands returned to the public domain under Alternatives 3, 4, and 5.

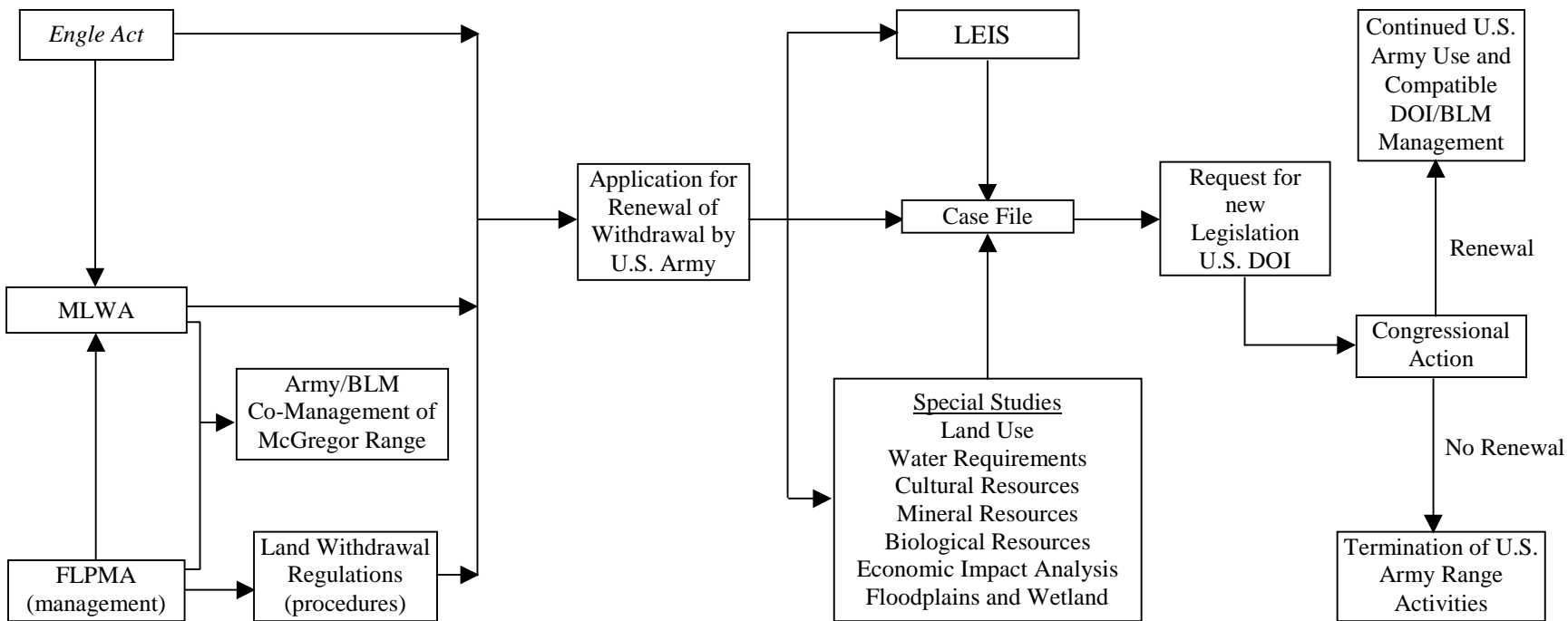


Figure 1.3-1. Withdrawal Authorities and Process for McGregor Range.



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**Table 1.3-1. Withdrawal Application Documentation**

<i>Requirement</i>	<i>Documentation Prepared for Renewal of the McGregor Range Land Withdrawal</i>
Preparation of an <i>Environmental Impact Statement (EIS)</i> or <i>Environmental Assessment (EA)</i> on the proposed withdrawal	McGregor Range Renewal LEIS
A statement as to the extent and manner in which the public participated in the environmental review process	McGregor Range Renewal LEIS
Analysis of the known and estimated mineral potential and market demands for lands within the proposed withdrawal	Mineral and Energy Resource Assessment of McGregor Range
Determination if the proposed withdrawal includes floodplains or wetlands	Wetlands and Floodplains Report
A statement concerning the requirements for water use and the presence of water rights within the withdrawal	Water Resources Assessment
A biological assessment of threatened or endangered species and their habitat within the withdrawal or in its vicinity	Biological Assessment
Identification of cultural resources within the withdrawal	Cultural Resources Report
Identification of roadless areas or roadless islands within the withdrawal	Land Use Report
A report on present land uses and the effects of withdrawal on those uses	Land Use Report
Analysis of the economic impact of the proposed uses of the withdrawal	Economic Impact Report
Evidence of consultation with federal, state, and local agencies and nongovernmental groups and individuals	Persons and Agencies Contacted, McGregor Range Renewal LEIS

## 1.5 SCOPE OF THE LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

This document provides Congress with information to make environmentally informed decisions regarding the McGregor Range land withdrawal. To the degree possible given existing data, it qualitatively and quantitatively evaluates the potential environmental impacts of implementing the alternatives.

The MLWA provides that the Army may seek renewal of the McGregor Range withdrawal. In connection with the application for renewal, the MLWA specifies that the Secretary of the Army will publish a Draft EIS consistent with the requirements of the *National Environmental Policy Act (NEPA)*, if there is a continuing requirement for military use of this range. Since this action is a proposal for legislation, the Army and the BLM have mutually agreed to use the LEIS process pursuant to 40 CFR 1506.8 to comply with the requirements of PL 99-606. This LEIS is being prepared in cooperation with BLM and local government. Therefore, pursuant to the LEIS process, the Army has decided to prepare a final LEIS and a Notice of Availability of the LEIS will be published in the *Federal Register*. However, there will not be a Record of Decision (ROD), because the decision to renew the withdrawal is made by the U.S. Congress and signed into law by the president.

### 1.5.1 Requirements of the NEPA

This LEIS is prepared in compliance with the NEPA of 1969 (PL 91-190, 42 United States Code [USC] 4321-4347, as amended), the Council on Environmental Quality (CEQ) *Regulations for Implementing the Procedural Provisions of NEPA [40 CFR 1500-1508]*, and Army Regulation (AR) 200-2, *Environmental Effects of Army Actions* (U.S. Army, 1988).

## **1.5.2 Agency and Public Participation in the LEIS**

Public involvement with this environmental impact analysis process was accomplished through scoping, public review of the DLEIS, and public hearings on the DLEIS.

### **1.5.2.1 The Scoping Process**

Public meetings were scheduled in communities near McGregor Range to solicit public input for preparation of an LEIS on the renewal of the McGregor Range land withdrawal and to obtain an understanding of the views of interested federal and state agencies, special interest groups, and private individuals regarding issues, alternatives, and environmental justice concerns to be addressed in the LEIS. The meetings described here were part of the Army's scoping period, which began on October 29, 1997 with publication in the *Federal Register* of a Notice of Intent (NOI) to prepare the LEIS.

Meeting notification letters (in English and Spanish) were mailed October 31, 1997, to approximately 700 identified interested parties and property owners in Otero and Doña Ana counties, New Mexico, and El Paso County, Texas; throughout the states of Texas and New Mexico; and across the U.S. Flyers were sent to the postmasters of several small communities surrounding McGregor Range, asking them to post the meeting notification in a public place. Newspaper advertisements were published on Tuesday, November 4, 1997, in the *El Paso Times*, the *Alamogordo Daily News*, the *Albuquerque Journal*, and the *Las Cruces Sun-News*. In addition, the ad was run on Thursday, November 6, 1997, in the *Las Cruces Bulletin*, and on Friday, November 7, 1997, in the *Hudspeth County Herald*. Fort Bliss representatives provided press releases, briefings, and information sessions to government agencies, elected officials, and others potentially impacted by the proposed action prior to the three formal scoping meetings.

Public scoping meetings were held in Alamogordo, New Mexico, on November 18, 1997; Las Cruces, New Mexico, on November 19, 1997; and El Paso, Texas, on November 20, 1997. During these meetings, the Army received verbal and written input from 21 individuals, special interest groups and government agencies, out of a total of 74 attendees. In addition, one individual submitted 111 written comments from other citizens. The scoping meeting in Alamogordo, had 42 participants; with 12 people providing oral comments. The scoping meeting held in Las Cruces, drew 18 attendees. Four of the 18 participants provided written and oral comments at the meeting. Oral comments were received at the third scoping meeting, held in El Paso and attended by 14 people. In addition to comments received during scoping meetings, the Army received written comments from 24 individuals, organizations, interest groups, and governmental agencies.

### **1.5.2.2 Issues Identified in Scoping**

The following is a summary of issues and/or concerns that were expressed during scoping via meetings and letters. Comments were received from individual citizens, special interest groups, and BLM representatives. The resource analysis of environmental consequences in Chapter 4 considers these public comments as they relate to each alternative. Most of the comments addressed the withdrawal alternatives. Other resource areas addressed include socioeconomics, biological resources, and archeological resources.

The following suggestions were made regarding the withdrawal alternatives:

- The Army should consider an alternative that designates the Otero Mesa and Sacramento Mountains foothills as an NCA on McGregor Range.
- Culp Canyon should be designated as a wilderness area.

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- The land withdrawal should continue as it currently exists.
- Alternatives should consider increased public access.
- Return the entire McGregor Range to the public domain.
- Return Otero Mesa and Sacramento Mountains foothills to the public domain, while maintaining the Tularosa Basin portion of the range for military use.
- McGregor Range should be managed by Holloman Air Force Base (HAFB) so New Mexico can receive federal funds and support for the use of the lands.

The following statement regarding socioeconomics was expressed:

- McGregor Range plays a major role in the economic well being of Otero County.

The following comment regarding mineral exploration was received:

- All of the 271,000 acres currently designated for nonmilitary co-use, should provide for mineral exploration.

The following comments regarding archeological resources were received:

- The historic and archeological resources on McGregor Range should be protected.
- Historic and archeological resources need to be recognized and listed in the *National Register of Historic Places (NRHP)*.

The following comments regarding biological resources were received:

- The biological resources of McGregor Range should be protected by supporting the NCA.
- Biologically sound, long-term management programs for use of the wildlife resources on McGregor Range should be established and incorporated into any future uses of the range.

#### 1.5.2.3 Public Hearings on the Draft LEIS

On November 6, 1998, the Department of the Army issued the *Draft McGregor Range, New Mexico Land Withdrawal Renewal Legislative Environmental Impact Statement*, also referred to as the *McGregor Range Draft LEIS*, for review by the states of New Mexico and Texas, Indian tribes, local governments, other federal agencies, private organizations, and the general public. As with the scoping meetings, hearing notification letters were sent in English and Spanish. The formal comment period lasted 95 days, ending on February 9, 1999.

As part of the comment process, the Army held public hearings in Alamogordo and Las Cruces, New Mexico, and El Paso, Texas, to discuss the *Draft McGregor Range LEIS*. Nearly 70 people attended the hearing in Alamogordo; 14 in Las Cruces; and five in El Paso. The Army received 397 comments from the hearings and through letters and e-mail.

Volume II of this LEIS, the *Public Comment and Response Document*, contains three chapters and one appendix. Chapter 1.0 contains this introduction and summarizes the methodology used to resolve the

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comments. Chapter 2.0 provides a summary of the issues and comments received. Chapter 3.0 contains the full text of the public comments on the *Draft McGregor Range LEIS* that raise issues, ask questions, or recommend changes to the text of the *Draft McGregor Range LEIS*, as well as all three public hearing transcripts. This chapter also contains the Army's responses to the public comments and describes how the comments affected the *Draft McGregor Range LEIS*. Appendix A of Volume II contains the full text of the public comments on the *Draft McGregor Range LEIS* that state a preference for a specific alternative. Boxes containing numbers in the margins of Volume I indicate where text has been changed in response to a comment from Volume II.

### **1.5.3 Other Environmental Analyses and Decisions Relevant to the Action**

Previously prepared EAs and EISs that address on-going actions, issues, or baseline data at McGregor Range are used as background information or incorporated by reference into this LEIS as appropriate. Examples of such NEPA documentation are:

- The *Land Use Withdrawal McGregor Range, Fort Bliss, Texas, Environmental Impact Statement*, August 1977 (U.S. Army, 1977), describes the evaluation of environmental effects of the Army's request for renewal of the previous withdrawal, which terminated August 20, 1977, for an initial 15 years, followed by two 10-year periods. Congress did not act on the McGregor Range land withdrawal until passage of the MLWA of 1986, which renewed the withdrawal for 15 years until 2001.
- The *Grazing Management, McGregor EIS Area, New Mexico* (BLM, 1980) prepared by the BLM addressed the impacts from grazing on McGregor Range.
- The *Resource Management Plan Amendment, McGregor Range*, September 1990 (BLM, 1990a), and the *Proposed Resource Management Plan Amendment/Final Environmental Impact Statement for McGregor Range*, May 1989 (BLM, 1989), prepared by the BLM, address the degree of public use of resources and the intensity of BLM resource management on land withdrawn for military use at McGregor Range.
- The *Final Programmatic Environmental Impact Statement for the Joint Training Exercise Roving Sands at Fort Bliss, Texas and New Mexico and White Sands Missile Range, New Mexico*, published in February 1994 (U.S. Army, 1994a), addressed the potential cumulative impacts associated with conducting the JTX for five annual exercises.

Several actions that may affect McGregor Range that have NEPA documentation completed or under development will be incorporated into this LEIS by reference, and will be included in the cumulative effect analysis.

- *Draft Fort Bliss Mission and Master Plan Programmatic Environmental Impact Statement (PEIS), Texas*, 1998 (U.S. Army, 1998a). Fort Bliss has jurisdiction over the land and airspace comprising McGregor Range in New Mexico. The PEIS describes potential impacts from existing mission activities and reasonably foreseeable changes projected as the installation proposes to adopt revisions to the *Real Property Master Plan (RPMP)*, implement the *Integrated Natural Resources Management Plan (INRMP)* (U.S. Army, 1998b), and *Integrated Cultural Resources Management Plan (ICRMP)* (U.S. Army, 1998c), and consider activities envisioned in the *Training Area Development Concept (TADC)* (U.S. Army, 1998d) and other installation initiatives.
- *Final Environmental Impact Statement, Proposed Expansion of German Air Force Operations at HAFB, New Mexico*, April 1998 (U.S. Air Force [USAF], 1998). Fort Bliss has jurisdiction over the

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land and airspace comprising McGregor Range in New Mexico. The USAF Air Combat Command (ACC) prepared an EIS on a proposal to expand German Air Force (GAF) operations at HAFB, New Mexico, through the bed-down of an additional 30 PA-200 Tornado aircraft at the base. The proposed action includes construction of various facilities at HAFB and the establishment of a new air-to-ground tactical target complex for use by USAF and GAF units. Three options for the new air-to-ground target complex were evaluated in the EIS, including two locations that are on the McGregor Range portion of the Fort Bliss Training Complex. On May 29, 1998, the USAF selected West Otero Mesa as the location for the tactical target complex. At the time of Final LEIS publication, there is ongoing litigation involving the Holloman EIS and USAF decision.

- *Environmental Assessment, Military Intelligence Battalion (Low Intensity)[MIBN (LI)] Relocation from Naval Training Center, Orlando, Florida, to Fort Bliss, Texas, October 1995 (U.S. Army, 1995a).* This EA evaluated the relocation of the MIBN (LI), a subordinate battalion (BN) of the 513<sup>th</sup> Military Intelligence Brigade to Fort Bliss, as a result of the closure of the Naval Training Center at Orlando, Florida. McGregor Range has a tactical airstrip (Wilde Benton) and restricted airspace R-5103 that support MIBN (LI) aircraft operations.
- *Environmental Assessment for Theater High Altitude Defense System Activation of Objective Battalions Fort Bliss, Texas, Basing, February 1995 (U.S. Army, 1995b).* The EA presents the evaluation of a proposed action to activate two battalions of Theater High-altitude Air Defense (THAAD) personnel at Fort Bliss.
- *Environmental Assessment for Exploration of Geothermal Resources at Davis Dome, Otero County, New Mexico, December 1996 (BLM, 1996a).* This EA evaluated the characterization of a potential geothermal resource located in the area of McGregor Range Camp. The project included excavation of up to five trenches and installation of up to three subsurface boreholes to a depth below the water table. The maximum area of disturbance was expected to be no more than 20 acres.

## **1.6 OTHER REGULATORY REQUIREMENTS**

In addition to NEPA and the land withdrawal requirements, other federal statutes that may apply to the proposed action are listed in Table 1.6-1.

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**Table 1.6-1. Other Major Federal Environmental Statutes,  
Regulations, and Executive Orders (EOs) Applicable to Federal Projects**

<i>Environmental Resource</i>	<i>Statutes</i>
Air	<i>Clean Air Act (CAA) of 1970</i> , as amended in 1977 (PL 95-95) and 1990 (PL 91-604) 40 CFR 52-99
Noise	<i>Noise Control Act of 1972</i> (PL 92-574) and Amendments of 1978 (PL 95-609) 40 CFR 201-211
Water	<i>Federal Water Pollution Control Act (FWPCA) of 1972</i> (PL 92-500) and Amendments: <i>Clean Water Act of 1977</i> (PL 95-217), 40 CFR 100-140 and <i>Water Quality Act of 1987</i> (PL 100-4), 40 CFR 401-471, and <i>Safe Drinking Water Act of 1972</i> (PL 95-523) 40 CFR 141-149 and Amendments of 1986 (PL 99-339) and 1996 (PL104-182)
Land	FLPMA of 1976 (PL 94-579); <i>Engle Act</i> of 1958 (43 USC 155); MLWA (16 USC 460ff); Land Withdrawal Regulations (43 CFR Part 2300); <i>Public Rangelands Improvement Act</i> <i>of 1978</i> ; <i>Wilderness Act of 1964</i> (PL 88-577); <i>National Forest Management Act of 1976</i> (PL 94-588); <i>Taylor Grazing Act</i> (43 USC 315)
Biological Resources	<i>Migratory Bird Treaty Act of 1918</i> ; <i>Bald and Golden Eagle Protection Act of 1940</i> ; <i>Fish</i> <i>and Wildlife Coordination Act of 1958</i> (PL 85-654); <i>Fish and Wildlife Act</i> (PL 85-624); <i>Sikes Act of 1960</i> (PL 86-797), 1974 (PL 93-205) and Amendments 1986 (PL 99-561), 1997 (PL 105-85, Title XXIX); <i>Endangered Species Act of 1973</i> (PL 93-205) and Amendments 1988 (PL100-478); <i>Fish and Wildlife Conservation Act of 1980</i> (PL 96- 366); <i>Lacey Act Amendments of 1981</i> (PL 97-79)
Wetlands and Floodplains	Section 401 and 404 of FWPCA of 1972 (PL 92-500), 40 CFR 100-149; Executive Order (EO) 11988, <i>Floodplain Management-1977</i> ; EO 11990, <i>Protection of Wetlands-1977</i> ; <i>Emergency Wetlands Resources Act of 1986</i> (PL 99-645); <i>North American Wetlands</i> <i>Conservation Act of 1989</i> (PL 101-233); Section 10 of <i>River and Harbor Act of 1899</i> (33 USC 403; 52 Stat. 802)
Cultural Resources	<i>National Historic Preservation Act (NHPA) of 1966</i> (PL 89-665) and Amendments of 1980 (PL 96-515) and 1992 (PL 102-575); EO 11593, <i>Protection and Enhancement of the</i> <i>Cultural Environment-1971</i> ; EO 13007, <i>Indian Sacred Sites-1996</i> ; <i>Archaeological and</i> <i>Historic Preservation Act of 1974</i> ; <i>American Indian Religious Freedom Act (AIRFA) of</i> 1978 (PL 95-341); <i>Antiquities Act of 1906</i> ; <i>Archaeological Resources Protection Act</i> <i>(ARPA) of 1979</i> (PL 96-95); <i>Native American Graves Protection and Repatriation Act</i> <i>(NAGPRA) of 1990</i> (PL 101-601)
Solid/Hazardous Materials and Waste	<i>Resource Conservation and Recovery Act (RCRA) of 1976</i> (PL 94-5800) as Amended by (PL 100-582), 40 CFR 240-280; <i>Superfund</i> , 40 CFR 300-399; <i>Toxic Substances Control</i> <i>Act</i> , 40 CFR 702-799; <i>Federal Insecticide, Fungicide, and Rodenticide Act</i> , 40 CFR 162- 180; <i>Emergency Planning and Community Right-to-Know Act</i> , 40 CFR 300-399
Environmental Justice	EO 12898, <i>Federal Action to Address Environmental Justice in Minority Populations and</i> <i>Low-Income Populations</i> ; EO 13045, <i>Protection of Children from Environmental Health</i> <i>Risks and Safety Risks</i>

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