MEMORANDUM OF UNDERSTANDING

AMONG THE U.S. DEPARTMENT OF THE INTERIOR - BUREAU OF LAND MANAGEMENT,

THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION,

FUNDACION LA PUERTA, AND PRONATURA

FOR

COOPERATION IN HABITAT CONSERVATION PLANNING AND MANAGEMENT

OF CERRO CUCHUMA/TECATE PEAK

I. PREAMBLE

The U.S. Department of Interior - Bureau of Land Management (BLM), and the California Department of Forestry and Fire Protection (CDF), share a common interest with the Fundacion La Puerta and PRONATURA in sustaining the integrity of biological and natural resource systems and the human and economic values they support. Efforts to coordinate conservation programs among local, state, and federal agencies in California are well established. In 1991, *The Agreement on Biological Diversity* created an Executive Council on Biological Diversity. The signing of this agreement by twenty-seven federal, state, and local representatives exemplifies California's commitment to cooperative ecosystem management. The agreement establishes a framework by which state and federal resource managers, local governments, and the public can discuss and establish collaborative conservation planning and management programs on a bioregional or local scale. The State of California's Natural Community Conservation Planning (NCCP) Program is a mechanism for implementing this framework as well.

In addition, several agreements exist between agencies of the United States and Mexico for joint cooperation and management of natural and cultural resources in the United States-Mexico border region. These include the *Agreement for the Protection and Improvement of the Environment (La Paz Agreement)* signed in 1983, the *Letter of Intent between the Department of the Interior and SEMARNAP for Joint Work in Natural Protected Areas on the United States-Mexico Border,* signed in 1997, and the *Joint Declaration of Cooperation by BLM and Mexico's National Institute of Anthropology and History Providing for the Improvement in the Management, Interpretation and Preservation of the Cultural Patrimony,* signed in 2000.

BLM manages over 17 million acres of federally owned public land in California and is actively involved in managing its lands to accomplish these shared goals of sustaining biodiversity. Approximately 80,000 acres of BLM lands are located in western San Diego County and are included in the South Coast Resource Management Plan (RMP). Another 100,000 acres of BLM lands are located in the eastern portion of the County and are covered under BLM's Eastern San Diego County Management Framework Plan (MFP). CDF manages 2,254 acres of land belonging to the State of California on Tecate Peak (Cerro Cuchuma).

The BLM and the State of California are also actively involved in several multiple-habitat conservation programs to accomplish these shared goals. These programs are designed to

protect key habitat areas and wildlife corridors and to meet the requirements of the federal and state Endangered Species Acts in a manner that addresses land use and economic objectives of the San Diego region. Lands which contain the remaining critical biological resources are being identified and plans are being developed to design conservation areas and wildlife corridors. Each program is individually tailored to a specific geographic area, yet is being coordinated to avoid duplication and will be linked together to create a regional habitat conservation system. The lands in the United States adjacent to the Rancho Cuchuma property are part of the Multiple Species Conservation Program (MSCP), which is consistent with the NCCP Program.

PRONATURA A.C. is a non-profit and non-governmental organization dedicated to land and natural resources conservation. PRONATURA was created in 1981 by a group of prominent Mexican entrepreneurs concerned about the rapid degradation of habitat and natural resources.

PRONATURA's mission is the conservation of the Mexican flora, fauna and priority ecosystems in order to promote the sustainable development of society in harmony with nature.

PRONATURA has chapters in: Veracruz, Yucatan, Chiapas, Northeast (Nuevo León, Tamaulipas and Chihuahua) and Northwest (Baja California, Baja California Sur, Sonora and Sinaloa).

FUNDACION LA PUERTA is a non-profit foundation, based in Tecate, Mexico. Established in 1977, it is concerned with environmental protection of the region's valuable and unique resources as well as with environmental education, conservation of chaparral habitat, and the restoration of the Tecate River through the organization of a conservancy for the river and a specific project to create a River park in Tecate. In 2002, together with PRONATURA, it started negotiation for the establishment of the first ever environmental easement in the northern part of the state of Baja California. As a result of these efforts, in March of 2003 the first private environmental easement came into being with the unique characteristic that the 820 hectare property known as "Rancho Cuchuma" is located right on an international border, which makes it the very first bi-national easement in Mexico. It is hoped that as a result of this legal precedent, other private landowners will follow suit thus creating one large continuous private conservation easement to protect sensitive chaparral habitat along an international border known to contain important biological corridors linking critical habit areas, as well as cultural manifestations important to the Kumiai community.

II. PURPOSE OF THE AGREEMENT

This Memorandum of Understanding (MOU) establishes a partnership between Fundacion La Puerta, PRONATURA, BLM and CDF to coóperate in planning and managing lands on and surrounding Cerro Cuchuma/Tecate Peak for the purpose of conserving the area's rich and unique biological diversity and cultural significance. It seeks to develop a proactive, coordinated approach for assessing biological and cultural values of these lands and the relation of these lands to the long-term needs of the area's native plants, animals, and human population. The partnership will be developed within the framework of the existing legal authorities of the parties to this MOU.

III. COOPERATIVE ACTIVITIES

A. The signatory parties agree to make maintenance and management of the area's unique biological diversity and cultural values a principal goal in the design and implementation of their respective habitat conservation programs.

B. The signatory parties agree to share maps and information on surveys of plant and animal species, soils, water, fire history, vegetation types and other biological resources.

C. A coordinated approach will be used to conduct additional surveys of biological and cultural resources on the subject properties, to insure consistency and internationally accepted protocols.

D. The signatory parties will assist each other in the surveys of these resources by assisting with training, equipment, and travel.

E. A cooperative approach will be used to communicate scientific, educational, and interpretive information about the resources of the area through joint publications and translations.

F. The parties will coordinate in identifying and maintaining migration corridors and linkages for species, particularly those species identified in the San Diego MSCP, species listed as threatened or endangered by the United States, Mexico, the states of California or Baja California, or as listed as rare or sensitive.

IV. MODIFICATIONS AND DURATIION

This MOU is to remain in effect for an indefinite time, until any modification by the parties in writing; it is negotiable at the option of any of the parties.

V. IMPLEMENTATION

For this MOU implementation, the parties agree to present working plans and proposals for specific projects in conjunction with a common plan for training, technical assistance, personnel interchange, workshops, etc.

VI. FURTHER AGREEMENTS AND ACTIVITIES

The signatory parties agree that for the design, implementation and development of the activities described in "III. COOPERATIVE ACTIVITIES", the necessary contracts (agreements, documents, papers,) will be signed in order to formally establish rights and obligations amongst them.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in the City of Tecate, Baja California, Mexico.to become effective as of the last date written below.

PRONATURA

By: _____ 5/27/05
Date

Juan Carlo Barrera
Director
Pronatura Noroeste

FUNDACION LA PUERTA

By: _____ Feb/21/2005
Date

Jose Manuel Jasso Peña
Vice-President,
Board of Directors

BUREAU OF LAND MANAGEMENT

By: _____ 4/18/05
Date

Mike Pool
California State Director
Bureau of Land Management

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

By: _____ 9/17/04
Date

Dale T. Geldert
Director
California Department of Forestry and Fire Protection