

Assembly Joint Resolution No. 2—Assemblymen
Cohen, Peters and Watts

Joint Sponsors: Senators Scheible, Ratti,
Brooks, Ohrenschall and Parks

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging Congress to oppose
the expansion of the United States Air Force into the Desert
National Wildlife Refuge in Nevada.

WHEREAS, The Desert National Wildlife Refuge was established
in 1936 primarily to preserve the habitat necessary to protect the
desert bighorn sheep; and

WHEREAS, At roughly 1.5 million acres in size, the Desert
National Wildlife Refuge is the largest wildlife refuge in the lower
48 states and is home to over 320 species of birds, 52 species of
mammals, nearly 40 species of amphibians and reptiles, including
the federally protected desert tortoise, and over 500 species of
plants; and

WHEREAS, Roughly 1.2 million acres of the Desert National
Wildlife Refuge are currently proposed for designation as
wilderness and have been managed by the United States Fish and
Wildlife Service of the Department of the Interior as de facto
wilderness since 1974; and

WHEREAS, The Nevada Test and Training Range was
established in 1940 as an aerial gunnery and bombing range; and

WHEREAS, At approximately 2.9 million acres of land and
nearly 16,000 square miles of airspace, the Nevada Test and
Training Range is the largest contiguous air and ground space
available for peacetime military operations in the free world and is
used by the United States Air Force for testing and evaluation of
weapons systems, tactics development and advanced combat
training; and

WHEREAS, The boundaries of the Desert National Wildlife
Refuge and the Nevada Test and Training Range overlap to the
extent that 55 percent of the total area of the Refuge – 826,000
acres – lies within the Range and is used for military purposes as
well as for purposes of wildlife conservation; and

WHEREAS, With the exception of 112,000 acres located in the
heart of the Desert National Wildlife Refuge over which the Air
Force exercises primary jurisdiction, and which it uses as target
impact areas for both live and inert ordinance, the United States Fish



and Wildlife Service exercises primary jurisdiction over the shared lands, with the Air Force exercising only secondary jurisdiction; and

WHEREAS, Under the terms of the Military Lands Withdrawal Act of 1999, Public Law 106-65, the Air Force's authority over all 2.9 million acres of the Nevada Test and Training Range is limited to 20 years in duration, expires on November 6, 2021, and can only be extended by an act of Congress; and

WHEREAS, The Department of the Air Force has notified Congress that there is a continuing military need for the land and that the Air Force is preparing a proposal for submission to Congress that not only extends its existing use of the land, but seeks to expand that use in significant ways; and

WHEREAS, Although the Air Force has identified several alternatives for its future use of the Nevada Test and Training Range, its preferred alternative includes: (1) increasing the total size of the Range by over 300,000 additional acres, almost all of which are within the Desert National Wildlife Refuge; (2) giving the Air Force primary jurisdiction over all the jointly administered land within the Refuge or making other legislative changes to ensure that the Air Force has the same kind of "ready access" necessary to engage in testing and training for major combat operations to all such land within the Refuge that it currently has throughout the rest of the Range; and (3) in effect, rendering these new arrangements permanent by eliminating the usual 20-year time limit on Congressional grants of land for military purposes; and

WHEREAS, The Air Force's preferred alternative for the Nevada Test and Training Range, if approved by Congress, would eliminate wilderness protections from nearly 1 million acres of land within the Desert National Wildlife Refuge, increase the threats to the survival of the Desert Bighorn Sheep, desert tortoise and other imperiled wildlife, further restrict access to areas of historical, cultural, spiritual and recreational significance to Native and other Americans, and degrade the ability of future Congresses to exercise meaningful oversight of the Air Force's discharge of its environmental responsibilities within the Refuge; and

WHEREAS, The final legislative environmental impact statement also includes proposals that the United States Air Force designates as "Alternative 3A" and "Alternative 3A-1" to withdraw either 18,000 or 15,000 acres of land outside the Desert National Wildlife Refuge, but near the town of Beatty, for incorporation into the Nevada Test and Training Range, which would result in substantial encroachment on the town of Beatty and result in significant negative impacts to the local economy, including losses of revenue



from existing and planned trails, ecotourism activities and mining; and

WHEREAS, The Moapa Band of Paiutes have asserted in Tribal Resolution M-18-03-07 their opposition to an increase of the use and size of the Nevada Test and Training Range given that the Desert National Wildlife Refuge includes abundant ecological and cultural resources where the Southern Paiute people carved petroglyphs into rocks and left artifacts that help show how they thrived in the beautiful desert and mountain environment; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 80th Session of the Nevada Legislature hereby urge Congress to reject any proposal by the United States Air Force to expand its use of land or exercise of jurisdiction within the Desert National Wildlife Refuge beyond that which it currently possesses and to limit any proposal to extend the Air Force's authority over the Nevada Test and Training Range to not more than 20 years; and be it further

RESOLVED, That the members of the 80th Session of the Nevada Legislature urge Congress to work collaboratively with all interested parties to develop a compromise alternative that would both enhance training opportunities for the United States Air Force and continue to provide essential protections for Nevada's wildlife and outdoor recreational experiences for Nevadans and visitors; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.

