

Amendment No. 50

Assembly Amendment to Assembly Joint Resolution No. 2	(BDR R-697)
Proposed by: Assembly Committee on Natural Resources, Agriculture, and Mining	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION			Initial and Date		SENATE ACTION			Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red-strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

WBD/BJE



Date: 4/14/2019

A.J.R. No. 2—Urges Congress to reject any expansion in the use of land or exercise of jurisdiction by the United States Air Force in the Desert National Wildlife Refuge. (BDR R-697)



ASSEMBLY JOINT RESOLUTION NO. 2—~~[ASSEMBLYWOMEN]~~ ASSEMBLYMEN COHEN, ~~[AND]~~ PETERS AND WATTS

FEBRUARY 18, 2019

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Urges Congress to reject any expansion in the use of land or exercise of jurisdiction by the United States Air Force in the Desert National Wildlife Refuge. (BDR R-697)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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

1 ordinance, the United States Fish and Wildlife Service exercises primary
2 jurisdiction over the shared lands, with the Air Force exercising only secondary
3 jurisdiction; and

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

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

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

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

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

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

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

51 RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy
52 of this resolution to the Vice President of the United States as the presiding officer

- 1 of the Senate, the Speaker of the House of Representatives and each member of the
- 2 Nevada Congressional Delegation; and be it further
- 3 RESOLVED, That this resolution becomes effective upon passage.