

Amendment No. 884

Senate Amendment to Assembly Joint Resolution No. 2 Second Reprint	(BDR R-697)
<b>Proposed by:</b> Senator Scheible	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: Yes 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.

MLS/JMK



Date: 5/22/2019

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—ASSEMBLYMEN  
COHEN, PETERS AND WATTS

FEBRUARY 18, 2019

JOINT SPONSORS: SENATORS SCHEIBLE, RATTI, BROOKS, OHRENSCHALL AND  
PARKS

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

1 area of the Refuge – 826,000 acres – lies within the Range and is used for military  
2 purposes as well as for purposes of wildlife conservation; and

3 WHEREAS, With the exception of 112,000 acres located in the heart of the  
4 Desert National Wildlife Refuge over which the Air Force exercises primary  
5 jurisdiction, and which it uses as target impact areas for both live and inert  
6 ordinance, the United States Fish and Wildlife Service exercises primary  
7 jurisdiction over the shared lands, with the Air Force exercising only secondary  
8 jurisdiction; and

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

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

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

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

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

44 WHEREAS, The Moapa Band of Paiutes have asserted in Tribal Resolution M-  
45 18-03-07 their opposition to an increase of the use and size of the Nevada Test and  
46 Training Range given that the Desert National Wildlife Refuge includes abundant  
47 ecological and cultural resources where the Southern Paiute people carved  
48 petroglyphs into rocks and left artifacts that help show how they thrived in the  
49 beautiful desert and mountain environment; now, therefore, be it

50 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY,  
51 That the members of the 80th Session of the Nevada Legislature hereby urge  
52 Congress to reject any proposal by the United States Air Force to expand its use of

1 land or exercise of jurisdiction within the Desert National Wildlife Refuge beyond  
2 that which it currently possesses and to limit any proposal to extend the Air Force's  
3 authority over the Nevada Test and Training Range to not more than 20 years; and  
4 be it further

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

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

15 RESOLVED, That this resolution becomes effective upon passage.