

Amendment No. 67

Senate Amendment to Senate Joint Resolution No. 3	(BDR R-745)
Proposed by: Senate Committee on Natural Resources	
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

S.J.R. No. 3—Urges Congress to oppose the expansion of the United States Air Force in the Desert National Wildlife Refuge in Nevada.
(BDR R-745)



SENATE JOINT RESOLUTION NO. 3—SENATORS
SCHEIBLE, RATTI, PARKS; AND HANSEN

FEBRUARY 18, 2019

JOINT SPONSOR: ASSEMBLYMAN FUMO

Referred to Committee on Natural Resources

SUMMARY—Urges Congress to oppose the expansion of the United States Air Force in the Desert National Wildlife Refuge in Nevada. (BDR R-745)

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.

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

1 WHEREAS, In 1936, President Franklin D. Roosevelt signed Executive Order
2 7373 creating the Desert Game Range to provide habitat and protection for the
3 desert bighorn sheep; and

4 WHEREAS, The Desert National Wildlife Refuge, as it is now called, is the
5 largest wildlife refuge in the contiguous United States; and

6 WHEREAS, As part of a wilderness review required by the Wilderness Act of
7 1964, 16 U.S.C. §§ 1131 et seq., 1.3 million acres of the Desert National Wildlife
8 Refuge were proposed as wilderness by the United States Fish and Wildlife Service
9 of the United States Department of the Interior; and

10 WHEREAS, The proposed wilderness includes the Sheep Range, Las Vegas
11 Range, Gass Peak, East Desert Range, Hole in the Rock Range, Desert-Pintwater
12 Range and the Spotted Range; and

13 WHEREAS, The Desert National Wildlife Range contains six mountain ranges
14 and seven distinct life zones, with elevations ranging from 2,200 to nearly 10,000
15 feet, which provide habitat for hundreds of species of native flora and fauna to live
16 and flourish, including two species listed as endangered or threatened: the Pahrump
17 poolfish and the desert tortoise; and

18 WHEREAS, The Nevada Test and Training Range, which was originally named
19 the Las Vegas Bombing and Gunnery Range, was created in 1940 by Executive
20 Order 8578; and

21 WHEREAS, The Nevada Test and Training Range is a military training area
22 used by the United States Air Force Warfare Center primarily for aerial gunnery

1 and bombing, as a proving ground and flight test area and for aircraft control and
2 warning exercises; and

3 WHEREAS, The Nevada Test and Training Range consists of approximately 2.9
4 million acres of federal land that has been withdrawn from public use and reserved
5 for military use and includes approximately 826,000 acres within the Desert
6 National Wildlife Refuge whose boundaries overlap those of the Nevada Test and
7 Training Range; and

8 WHEREAS, The Military Lands Withdrawal Act of 1999, Public Law 106-65,
9 transferred primary jurisdiction of approximately 112,000 acres of bombing impact
10 areas within the Desert National Wildlife Refuge from the United States Fish and
11 Wildlife Service to the United States Department of Defense and such lands were
12 reserved for use by the Secretary of the Air Force as an armament and high-hazard
13 testing area; and

14 WHEREAS, Public Law 106-65 also extended the duration of the withdrawal of
15 2.9 million acres from public use for the military use of the Nevada Test and
16 Training Range through November 6, 2021; and

17 WHEREAS, In August 2016, the United States Air Force provided public notice
18 of its intent to prepare a legislative environmental impact statement to renew and
19 expand the size of the Nevada Test and Training Range in anticipation of the
20 termination of its existing scheduled withdrawal in 2021; and

21 WHEREAS, In December 2017, the public comment period began on the United
22 States Air Force's draft legislative environmental impact statement, and 32,000
23 comments were submitted opposing the expansion; and

24 WHEREAS, In January 2018, the United States Air Force held public meetings
25 throughout Nevada and accepted public comment on the draft legislative
26 environmental impact statement; and

27 WHEREAS, In October 2018, the United States Air Force issued its final
28 legislative environmental impact statement for the Nevada Test and Training Range
29 Land Withdrawal; and

30 WHEREAS, The final legislative environmental impact statement from the
31 United States Air Force includes alternatives that not only renew the withdrawal of
32 the approximately 2.9 million acres of public lands which comprise the existing
33 Nevada Test and Training Range, but also, under the designation "Alternative 2,"
34 removes significant protections for all land within the Desert National Wildlife
35 Refuge that is co-managed by the United States Fish and Wildlife Service, either by
36 giving the Air Force primary jurisdiction over all the co-managed land or by
37 making other legislative changes to ensure that the Air Force has the same kind of
38 "ready access" to all such land within the Refuge that it currently has throughout
39 the rest of the Range; and

40 WHEREAS, An additional 227,000 acres that the United States Air Force also
41 proposes to add to the Nevada Test and Training Range, and whose incorporation it
42 designates as "Alternative 3C," includes portions of the Sheep Range, which the
43 Nevada Department of Wildlife describes as the "heart of the Desert National
44 Wildlife Refuge" whose importance to "wildlife resources and public access cannot
45 be overstated"; and

46 WHEREAS, In 2018, the Nevada Department of Wildlife informed the Air Force
47 that it opposes Alternative 2 because of the lack of specificity in the meaning of
48 "ready access" and also that it "strongly opposes" the entirety of Alternative 3C
49 because it would "reduce the Desert National Wildlife Refuge to a fraction of its
50 original land mass and intent"; and

51 WHEREAS, The final legislative environmental impact statement also
52 includes proposals that the United States Air Force designates as "Alternative
53 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; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the members of the 80th Session of the Nevada Legislature strongly oppose the range of alternatives and sub-alternatives set forth in the final legislative environmental impact statement, especially Alternative 2 and Alternative 3C given that their approval by Congress would result in an unacceptable loss of public access to and in the degradation of the Desert National Wildlife Refuge; 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 Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States, as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Chair and Ranking Member of the United States Senate Committee on Energy and Natural Resources, the Chairman and Ranking Member of the United States Senate Committee on Armed Services, the Chairman and Ranking Member of the United States House Committee on Natural Resources, the Chairman and Ranking Member of the United States House Committee on Armed Services, the Secretary of the Air Force, the Secretary of Energy and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.