

PUBLIC LANDS

Bill would limit military advance into wildlife refuge

Jennifer Yachnin, E&E News reporter Published: Friday, December 20, 2019

Nevada's congressional delegation today bucked the Air Force's long-running effort to take control of a sprawling national wildlife refuge near Las Vegas, proposing instead to grant the military access to just 100,000 additional acres.

Under **legislation** unveiled today by Sen. Catherine Cortez Masto (D-Nev.), Congress would approve a 20-year extension of lands from the Desert National Wildlife Refuge — along with a relatively small increase — for use in the 2.9-million-acre Nevada Test and Training Range.

The proposal, which is backed by Nevada's five Democratic lawmakers and sole Republican member, would also establish a more than 1.3-million-acre wilderness, the largest such designation in the Silver State to date.

"Nevadans have made clear that they do not support the expansion proposal offered by the United States Air Force. And I stand with them," Cortez Masto said in a statement announcing the bipartisan bill. "Our legislation addresses the concerns of our community while also ensuring the Air Force has the resources and support it needs to keep our country safe."

She added: "In my extensive engagement with Nevadans, it was clear that our local communities needed more of a say in the process so that local economies are protected, religious and cultural sites of importance to our Native communities are respected and all those who frequent these beautiful natural spaces can enjoy them."

The southern Nevada military site is used for pilot training, but nearly all of its lands, or about 2.1 million acres, are overseen by the Bureau of Land Management.

Ahead of a 2021 deadline when the current withdrawal is set to expire, the Air Force has been pressing congressional lawmakers for a significant expansion "to improve the range's capacity to support military testing and training" (**Greenwire**, March 8, 2018).

Earlier this year, an internal Air Force document showed the military pushing to convert a majority of the 1.6-million-acre refuge primarily for military purposes (**Greenwire**, Nov. 4).

The Air Force already claims 826,000 acres within the refuge, and most of that land is co-managed by the Fish and Wildlife Service and the military. The military has primary jurisdiction over another 112,000 acres in the "target impact area," which is closed to the public.

"This bill also marks a clear boundary between refuge lands perpetually open to the public, and those refuge lands where military training activities will continue under Air Force co-management with the Fish and Wildlife Service," Cortez Masto said. "Tribes and the general public will be allowed limited, timely access to these co-managed lands."

Democratic Rep. Steven Horsford said the legislation was necessary after executive branch officials failed to compromise over access to the site.

"I am honored that our state is so crucial to our country's national defense; however, the Department of Defense already has nearly 3 million acres in southern Nevada for testing and training — with a portion of more than 800,000 acres of the refuge already closed to public access," he said. "Despite overwhelming public opposition, the Department of Defense has not reconsidered any portion of its proposal, which would close most of the refuge to public access and threaten Nevada's state animal — the bighorn sheep. Nevadans deserve continued access to this treasured desert habitat."

The legislation calls for a "memorandum of understanding" between FWS and the Air Force to outline management of the shared lands. Both groups would also be required to appoint "agency liaisons" to meet with members of the public.

The proposal would also mandate monthly access to lands under the Air Force's primary jurisdiction for wildlife maintenance activities and water development projects.

"I was pleased to see the concepts unveiled in the meeting and look forward to refining and finalizing Nevada's concerns as a delegation while continuing to work alongside the USAF and other relevant stakeholders so this can be a win-win for everyone involved," Republican Rep. Mark Amodei said.

But environmentalists did not greet the bill with overwhelming enthusiasm, noting that the measure would still create a larger incursion into the wildlife refuge.

"We appreciate Senator Cortez Masto's willingness to lead on this issue, but this legislation would not resolve current management conflicts on the refuge and could exacerbate problems for wildlife," said Defenders of Wildlife Vice President of Landscape Conservation Mark Salvo.

He added: "The further expansion of military use on public land specifically designated for wildlife sets a troubling precedent for the future of refuges nationwide."

Similarly, Center for Biological Diversity Nevada State Director Patrick Donnelly praised Cortez Masto for rejecting "the military's enormous land seizure" — noting that the existing request would have added 1.1 million acres to the testing range — but lamented that the measure still gives away additional lands.

"Nevada's desert has been treated like a national sacrifice area for far too long. Losing an area larger than the city of Las Vegas isn't a victory for our endangered species or for people, even if it's accompanied by wilderness designation," Donnelly said. "The final bill needs to ensure that Nevada's wildlife doesn't lose out to military expansion."

But Friends of Nevada Wilderness Executive Director Shaaron Netherton embraced the compromise legislation.

"We're excited. This is a huge step forward in making sure the refuge is not lost to the public," she told E&E News. "I think from a conservation standpoint [the proposal] really helps to hold the military more accountable to making sure those co-managed lands are well taken care of."

Netherton also pointed to the new wilderness designations as an important protection for the state going forward, in an effort to curb future military encroachment.

That said, she noted that she expects the bill to see alterations before it is adopted.

"Is the bill perfect? No. Do I get the sense that the delegation is willing to continue to make improvements? Yes, absolutely. I think this is a step in the process and not the final piece," Netherton said. "This is a great first step."