

REFERENCE TITLE: **military bases; endangered species act**

State of Arizona
Senate
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2015

SCM 1009

Introduced by
Senators Griffin, Allen, Burges; Representatives Borrelli, Leach; Senator
Shooter

A CONCURRENT MEMORIAL

**URGING CONGRESS TO ENACT LEGISLATION EXEMPTING UNITED STATES MILITARY BASES
FROM THE REGULATIONS AND RESTRICTIONS OF THE ENDANGERED SPECIES ACT.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the mission of the United States Department of Defense is "to
4 provide the military forces needed to deter war and to protect the security
5 of our country"; and

6 Whereas, according to the Department of Defense and the Government
7 Accountability Office (GAO), a fundamental principle of military readiness is
8 that the military must train as it intends to fight; and

9 Whereas, the Department of Defense has established military training
10 facilities in Arizona, including Fort Huachuca, Davis-Monthan Air Force Base,
11 Luke Air Force Base and the Barry M. Goldwater range, among others, to
12 accomplish this goal; and

13 Whereas, Department of Defense officials indicate that heightened focus
14 on the application of environmental statutes has affected the use of its
15 training areas; and

16 Whereas, compliance with environmental regulations, especially the
17 Endangered Species Act (ESA), has caused some training activities to be
18 canceled, postponed or modified; and

19 Whereas, compliance with environmental regulations, particularly the
20 ESA, has forced military officials to make adjustments to training regimens,
21 including requiring units in training to avoid areas with ESA restrictions;
22 and

23 Whereas, since 2003, the Department of Defense has obtained exemptions
24 from three environmental laws and sought exemptions from three others; and

25 Whereas, these exemptions allow the military to maintain its high state
26 of readiness and help to ensure its ability to meet unexpected threats; and

27 Whereas, these exemptions are under increased scrutiny by environmental
28 groups and federal officials who would rather protect wildlife than allow the
29 military to maintain its readiness; and

30 Whereas, a GAO report found no instances in which the Department of
31 Defense's use of exemptions from the ESA or the Migratory Bird Treaty Act has
32 adversely affected the environment; and

33 Whereas, the United States military has proven itself to be a
34 responsible and effective steward of the land and environment.

35 Wherefore your memorialist, the Senate of the State of Arizona, the House of
36 Representatives concurring, prays:

37 1. That the United States Congress enact legislation exempting United
38 States military bases and training facilities from the regulations and
39 restrictions of the Endangered Species Act.

40 2. That the Secretary of State of the State of Arizona transmit a copy
41 of this Memorial to the President of the United States Senate, the Speaker of
42 the United States House of Representatives and each Member of Congress from
43 the State of Arizona.