

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

## **SENATE CONCURRENT MEMORIAL 1009**

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.

PASSED BY THE HOUSE MARCH 18, 2015.

S.C.M. 1009

PASSED BY THE SENATE FEBRUARY 16, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 19, 2015.