

REFERENCE TITLE: **military bases; exemption from ESA**

State of Arizona
House of Representatives
Fifty-seventh Legislature
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Introduced by
Representative Griffin

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION EXEMPTING MILITARY
BASES FROM 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
4 "to provide the military forces needed to deter war and to protect the
5 security 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
8 is 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 Luke Air Force Base, Fort Huachuca, the
11 Barry M. Goldwater Range, Davis-Monthan Air Force Base, the U.S. Army Yuma
12 Proving Ground, the Marine Corps Air Station Yuma and Camp Navajo Army
13 Base, to accomplish this goal; and

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

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

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

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

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

30 Whereas, these exemptions are needed to allow the military to
31 maintain its readiness; and

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

35 Whereas, the United States military has proven itself to be a
36 responsible and effective steward of the land and environment; and

37 Whereas, it is imperative that we have a strong national defense to
38 protect our freedoms, country, state and communities.

39 Wherefore your memorialist, the House of Representatives of the State of
40 Arizona, the Senate concurring, prays:

41 1. That the United States Congress enact legislation exempting
42 United States military bases and training facilities from the regulations
43 and restrictions of the Endangered Species Act.

44 2. That the Secretary of State of the State of Arizona transmit a
45 copy of this Memorial to the President of the United States Senate, the
46 Speaker of the United States House of Representatives and each Member of
47 Congress from the State of Arizona.