

# Committee on Resources

## Subcommittee on National Parks and Public Lands

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### Witness Statement

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**Statement of Marcia F. Argust, Legislative Representative  
of the National Parks and Conservation Association  
before the  
House Subcommittee on National Parks and Public Lands  
on H.R. 1695, the "Ivanpah Valley Airport Public Lands Transfer Act"**

**July 13, 1999**

Mr. Chairman and Members of the Subcommittee, thank you for the opportunity to present the views of the National Parks and Conservation Association (NPCA) on H.R. 1695, legislation to convey federal land currently managed by the Bureau of Land Management (BLM) to Clark County, Nevada for the development of an airport. My name is Marcia Argust and I am a legislative representative at NPCA, the nation's only non-profit citizen organization dedicated solely to protecting and enhancing the National Park System.

On behalf of its nearly 400,000 members, NPCA opposes H.R. 1695 in its present form, for a variety of reasons.

#### Environmental Concerns

The bill promotes the construction of a major cargo/passenger airport in Ivanpah Valley, only ten miles from the Mojave National Preserve, which was created in 1994 to protect the area's fragile desert ecosystem. Situated at the intersection of the Sonoran, Mojave, and Great Basin deserts, the Preserve encompasses tremendous biological diversity. It is home to more than 700 plant species, the world's largest Joshua Tree forest, and 200 animal species, including the threatened desert tortoise and bighorn sheep. It also houses prehistoric petroglyphs and dinosaur tracks, and provides outstanding recreational opportunities. Despite its rugged appearance, the Mojave National Preserve is extremely vulnerable to human impacts and could be severely degraded by the proposed airport facility.

undeveloped area. Unchecked growth will undermine the buffer of protection this region provides between Las Vegas and the Mojave Preserve. One only needs to look at the history of McCarran Airport to anticipate the development that is likely to result from the establishment of Las Vegas' airport in the Ivanpah Valley.

National Park Service policy mandates protection for parks' natural resources and values, including "scenic vistas, natural quiet and clear night skies." The proposed airport will likely destroy all of those values. This is especially unfortunate, as the northern area of the Preserve contains substantial designated wilderness. Flights over and near the Preserve will shatter the area's natural quiet, denying visitors the opportunity to experience the natural sounds of the California desert. Light pollution from the airport and surrounding development will obscure the visibility of the night sky.

Increased ground traffic will intensify current congestion on Interstate 15, exacerbating regional air pollution problems. The proposed airport also raises concerns about water supply. At this point, it is unclear where the water for the facility would come from. Nearby Primm relies on wells in California, near the Preserve. If the proposed airport and related developments tapped into the water resources serving the Preserve, it could jeopardize the survival of the area's flora and fauna.

The airport project may also impair several threatened species: the desert tortoise, which lives in critical habitat within Ivanpah Valley, and the desert bighorn sheep, which resides in the Clark Mountain portion of the Preserve. According to current proposals, Clark Mountain would be directly adjacent to flight paths of low-flying commercial jets preparing for landing.

### Procedural Concerns

H.R. 1695 waives the procedural requirements that would review and address these environmental concerns. Under the National Environmental Policy Act (NEPA), construction of an airport facility on federal land requires compliance with federal environmental review processes, including a study of alternative sites. The legislation under discussion today would authorize the sale of BLM land to Clark County without any such basic review and is, therefore, premature and potentially ill-advised. While NPCA understands that Clark County has conducted its own review of potential sites, this study does not replace a formal review by the appropriate federal agency.

H.R. 1695 completely negates provisions (43 USCS, 1712, 1713) in the Federal Land Policy and Management Act of 1976 (FLPMA) that require public input regarding

public land management. These provisions state that public lands can be sold only if they no longer meet the specific purpose for which they were acquired. The BLM has analyzed this area and determined--under its Stateline Resource Management Plan--that these lands are so rich in recreational and wildlife values that they should be permanently protected and that this area should remain under federal ownership. These lands offer a variety of recreational opportunities, harbor desert tortoise habitat, and are adjacent to a desert tortoise recovery area for desert tortoise displaced by regional development.

NPCA appreciates the sponsor's attempt to address concerns regarding the Mojave Preserve. Unfortunately, H.R. 1695 provides no real assurance that substantive measures will be taken to reduce impacts to the Preserve. Although the legislation states the Department of Transportation should consult with the Department of the Interior to develop flight management plans that, "to the maximum extent practicable," restrict aircraft arrivals and departures over the Mojave, this provision is not binding.

### Conclusion

In conclusion, NPCA must oppose H.R. 1695. By circumventing formal NEPA and FLPMA procedures, the Ivanpah Valley airport legislation fails to provide an opportunity for public input and oversight, a formal and balanced review of the environmental impacts on the Mojave National Preserve, and consideration of alternative sites.

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