



## DEPARTMENT OF THE AIR FORCE

WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

SAF/IE  
1665 Air Force Pentagon  
Washington, DC 20330-1665

AUG 12 2016

Mr. John Ruhs, Nevada State Director  
Department of the Interior, Bureau of Land Management  
1340 Financial Boulevard  
Reno, Nevada 89502

Dear Mr. Ruhs,

In accordance with 43 U.S.C. § 155 -158, the Federal Land Policy and Management Act of 1976, as amended, (FLPMA) 43 U.S.C. 1714, 43 CFR Part 2300 and, as implemented by BLM Instruction Memorandum No. 2001-030, the United States Department of the Air Force (Air Force) requests processing of this land withdrawal application for the withdrawal and reservation of 301,507 additional acres of public lands located near the Nevada Test and Training Range (NTTR), Nevada. The NTTR, formerly known as the Nellis Air Force Range (Nellis AFR) is required for military use as a national security testing and training range by the Air Force. Priority processing of this application is in the interest of Homeland Defense and the War on Terrorism.

The current NTTR land withdrawal and reservation consists of 2,949,603 acres of public lands authorized by the National Defense Authorization Act for Fiscal Year 2000, Military Land Withdrawal Act of 1999 (Public Law 106-65), and the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). The Air Force requests to expand the NTTR by 301,507 acres of public lands known as the EC South, 64C/D and 65D, South Range Administrative Incorporation, and Alamo for use as a national security testing and training range to meet NTTR requirements. The acres of the withdrawal expansion and the lands withdrawn and reserved by Public Law 106-65 and Public Law 113-291 would total 3,251,110 acres. A separate application requesting the extension (renewal) of the withdrawal and reservation under Public Law 106-65 and Public Law 113-291 is in process.

National defense requirements are rapidly evolving in response to changing world conditions, the Global War on Terrorism, developing technologies, and new emerging threats. The NTTR is a Major Range and Test Facility Base national asset and is used to accommodate two major national defense necessities: Test and Evaluation (T&E); and large-scale training. The NTTR is sized, operated, and maintained to provide T&E information to Department of Defense (DoD) component users in support of DoD research, development, T&E, and the acquisition process. The NTTR is required to provide a broad base of T&E capabilities that are sufficient to support the full spectrum of DoD T&E requirements. The NTTR also contributes to combat readiness

training, providing a venue for major training events, 5th-generation aircraft training, and training for other Federal agencies, state and local governments, allied foreign governments, and commercial entities. The NTTR is the Air Combat Command's range of preference for Tactics Development and Evaluations (TD&E) due to its focus on high-end combat training and operationally relevant testing.

The requested withdrawal is essential to the Air Force to enhance large-scale training at the NTTR by increasing Major Combat Operations (MCO) test and training capabilities to meet the demands of strategic guidance, alleviating the competition for critical MCO assets, providing a two-access battle space for Irregular Warfare (IW) test and training, and increasing NTTR operational security and safety to prevent encroachment and sustain the NTTR mission into the future while providing for public safety.

The Air Force will promptly notify the BLM if new developments change the purpose or acreage associated with this request.

In addition, the Air Force has requested the Bureau of Land Management (BLM) to petition or apply to the Secretary of the Interior, pursuant to section 204 of FLPMA for a 7-year administrative withdrawal of the public lands within the exterior boundaries of the lands described in paragraph 6 of this withdrawal application for the purpose of maintaining the *status quo* of the lands so that the Air Force and the BLM may conduct a land management analysis in support of a possible future transfer of lands to Air Force jurisdiction. The BLM has separately filed such petition/application.

**1. Name and Address of Applicant:**

(a) Name and address of person delegated the authority to file the application.

Ms. Miranda A. Ballentine, Assistant Secretary of the Air Force for Installations, Environment, and Energy, Headquarters U.S. Air Force, 1670 Air Force Pentagon, Washington, DC 20330-1670, phone (703) 697-5023, email [miranda.ballentine.civ@mail.mil](mailto:miranda.ballentine.civ@mail.mil).

Ms. Jennifer L. Miller, Deputy Assistant Secretary of the Air Force for Installations, Headquarters U.S. Air Force, 1665 Air Force Pentagon, Suite 4B941, Washington, DC 20330-1665, phone (703) 695-3592, email [Jennifer.l.miller273.civ@mail.mil](mailto:Jennifer.l.miller273.civ@mail.mil).

Mr. James Sample, Office of the Deputy Assistant Secretary of the Air Force for Installations, Environment, and Energy, Headquarters U.S. Air Force, 1665 Air Force Pentagon, Suite 4B941, Washington, DC 20330-1670, phone (703) 693-3349, email [james.a.sample6.civ@mail.mil](mailto:james.a.sample6.civ@mail.mil).

(b) Name and address of using agency.

Maj. Gen. Glen D. VanHerck, Commander, United States Air Force Warfare Center (Air Combat Command), 3770 Duffer Drive, Nellis AFB, NV 89191-7001, phone (702) 652-2201, email [glen.vanherck@us.af.mil](mailto:glen.vanherck@us.af.mil).



Mr. Roger Christensen, NTTR/XPN, 3770 Duffer Drive, Nellis AFB, NV 89191-7001, phone (702) 653-4650, email [roger.christensen@us.af.mil](mailto:roger.christensen@us.af.mil).

(c) Name, address, and phone number of primary point of contact for all aspects in preparing and processing the application.

Mr. Mike Ackerman, NEPA Division (AFCEC/CZN), Bldg 1650, 2261 Hughes Ave., Lackland AFB, TX 78236, phone (210) 925-2741, email [michael.ackerman.2@us.af.mil](mailto:michael.ackerman.2@us.af.mil).

## **2. Designation and Delegation of Authority:**

The Secretary of the Air Force (SECAF) Mission Directive 1-18 (HAF MD 1-18) assigns responsibility for real property authorities, to include the acquisition, management, and disposal of real property, to the Assistant Secretary of the Air Force for Installation, Environment and Energy (SAF/IE). SAF/IE delegates authorities for real estate transactions, including responsibilities for the withdrawal of public lands, to the Deputy Assistant Secretary for Air Force Installations (SAF/IEI). Air Force Instruction 32-9001, Real Property Acquisition, identifies procedural guidance and requirements for real estate actions, including withdrawal application preparation and proposed legislation development. For this specific project, the SAF/IEI is delegated authority to accomplish real estate actions on behalf of the Air Force. As outlined in Air Force Instruction 32-9001, the Air Force Civil Engineer Center (AFCEC), will assist the Deputy Assistant Secretary of the Air Force for Installations (SAF/IEI) with staffing and review of the land withdrawal application.

## **3. Other Agency Consent:**

The public lands subject to this application are under the administration of the Department of the Interior. Portions of the requested withdrawal expansion area are withdrawn and reserved from the public domain for use by the U.S. Fish and Wildlife Service (USFWS), Desert National Wildlife Refuge (DNWR). The Air Force letter inviting the USFWS to be a cooperating agency to the NTTR withdrawal renewal Legislative Environmental Impact Statement (LEIS) is enclosed with this application.

## **4. Type of Withdrawal Action:**

The Air Force requests the withdrawal of public lands known as the EC South, 64C/D and 65D, South Range Administrative Incorporation, and Alamo from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, and geothermal leasing laws; and reservation for Air Force purposes. In addition, the Air Force requests jurisdictional transfer of the lands.

## **5. Legal Description:**

The withdrawal expansion area is located in Clark, Lincoln, and Nye Counties, Nevada. Enclosure (1) contains maps of the withdrawal expansion area, and Enclosure (2) delineated legal description.

## **6. Legal Description of Overlapping Withdrawals:**

### **Gross Land and Water Acreage within the Exterior Boundaries:**

(a) The gross land area within the withdrawal expansion area contains 301,507 acres of land. A map of the withdrawal expansion area is provided in Enclosure (1).

(b) The legal description for the entire withdrawal expansion area is provided in Enclosure (2).

(1) BLM-managed lands – 35,361 acres

(2) USFWS- managed lands – 266,146 acres

(c) There are no private or state lands within the withdrawal expansion area.

(d) The Air Force is conducting a study to determine whether any surface water areas exist within the withdrawal expansion area. The results of the study will be provided in the related NTTR LEIS.

## **7. Overlapping and Existing Withdrawals:**

This requested withdrawal expansion would overlap portions of the DNWR. The DNWR is withdrawn and reserved for USFWS use by Executive Order 7373, dated May 20, 1936, as amended by Public Land Order (PLO) 4079, dated August 26, 1966, and PLO 7070, dated August 4, 1994.

## **8. Purpose of Statutory Program:**

(a) The withdrawal expansion is necessary to support national security objectives and to provide for public safety within the context of Homeland Defense and the War on Terrorism. This withdrawal expansion will support: the Air Force Warfare Center's mission; ongoing military test and training; and is required to develop enhancement of the Air Force's capability to conduct such test and training into the future.

(1) Increase MCO test/training capability to meet the demands of strategic guidance. MCO test and training operations at NTTR are artificially constrained into the North Range. Expanding the South Range would provide a two-axis battle space that is relevant to current operational plans and strategic guidance.



- (2) Alleviate competition for critical MCO assets. Currently, test and training operations compete for time and space on the North Range. Increasing the size and flexibility of the South Range will create two MCO environments and allow for additional testing and improved training.
- (3) Enhance IW test/training capability, which is critical to current combat missions. IW operations on the South Range are artificially constrained by current management practices. Indefinite primary jurisdiction over the South Range will allow realistic IW training.
- (4) Increase NTTR operational security and safety. Operations on NTTR are sensitive and additional buffer areas to prevent encroachment will sustain the NTTR mission into the future.

(b) Specific purposes for which the lands will be withdrawn are for use:

- (1) as an armament and high-hazard testing area;
- (2) for training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support;
- (3) for equipment and tactics development and testing; and,
- (4) for other defense-related purposes consistent with the purposes specified above.

#### **9. Extent of Segregation:**

The Air Force requests that the lands identified in this withdrawal expansion application be withheld from location and entry under the public land laws, including the mining laws, mineral leasing laws, and geothermal leasing laws, and subject to valid existing rights. The Air Force requests the maximum segregation period of 2 years.

#### **10. Temporary Land Uses:**

Licenses, permits, cooperating agreements, and discretionary land use authorizations, may be allowed during the segregative period with the approval of the BLM Authorized Officer and/or USFWS Authorized Officer, as appropriate, and with the concurrence of the Commander of the Nevada Test and Training Range, Nellis Air Force Base, Nevada. Points of contact are shown in paragraph 1 of this application.

#### **11. Analysis of Alternatives:**

The primary reasons for the NTTR withdrawal expansion request are the unique nature of national security testing and training conducted at NTTR and public safety. Expanding the land

withdrawal would be the only authorization option that would satisfy the Air Force and NTTR requirements for national security testing and training, safety, and control of access to the lands. Military test and training activities performed in the area cannot be statutorily accommodated under either a FLPMA right-of-way or a cooperative agreement. The Interior Board of Land Appeals has found that military training on public lands is appropriately authorized by a withdrawal in the case of contamination from military munitions, unexploded ordnance, munitions debris, and other range related debris and BLM policy reflects that finding. The withdrawal expansion may only be authorized by Congress.

## **12. Duration of Withdrawal:**

The Air Force is applying for an indefinite withdrawal of the area from the date enacted by Congress unless Congress deems it appropriate to withdraw the land for a shorter timeframe.

## **13. Alternative Sites:**

No alternative sites are available for the proposed use for the following reasons:

(a) The Air Force considered expansion of the NTTR in various directions. However, there are external encroachment issues that limit the Air Force's ability to expand the NTTR in a configuration that provides for public safety and necessary test and training. The existing external encroachment issues include, but are not limited to, major state and interstate highways, interrelated population centers, and local roadway infrastructure. Furthermore, existing wilderness areas limit the Air Force's ability to expand the NTTR. Wilderness areas to the north include the Toiyabi National Forest, with Table Mountain, Arc Dome, and Alto Toquima Wilderness areas. To the northeast are the Humboldt National Forest (with Quinn Canyon and Grant Range Wilderness areas) and the Worthington Mountain, and Weepah Springs Wilderness areas. The Big Rocks, Mount Irish, and South Paroc, Delamar Mountains, Meadow Valley Range, Mormon Mountains, Muddy Mountain, and Arrow Canyon Wilderness areas are to the east, and the Mount Charleston Wilderness area is to the southwest.

(b) The withdrawal expansion area must be located adjacent to the current NTTR land withdrawal area to support the current use of the lands by the Secretary of the Air Force: as an armament and high-hazard testing area; for training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support; for equipment and tactics development and testing; and for other defense-related purposes consistent with the uses specified above. In addition, the withdrawal expansion area is required to sufficiently accommodate and support the Air Force Warfare Center's mission.

## **14. Water Requirements:**

The Air Force will need to control, appropriate, distribute and/or use water where current, valid existing rights have been acquired by the United States or other entities in conformity with State laws and procedures. The acquisition of rights to the use of water will be in conformity with



State laws and procedures relating to the control, appropriation, use and distribution of water insofar as such laws and procedures are applicable to the United States.

The Air Force is conducting a study to determine whether any surface water areas exist within the withdrawal expansion area. The results of the study will be provided in the related NTTR LEIS.

Based on a preliminary review of the Nevada Division of Water Rights (NDWR) Water Rights Database, the water rights in the withdrawal expansion area include several underground water rights certificates for stock watering in Oasis Valley and protested water rights applications by the Southern Nevada Water Authority in Three Lakes Valley. In addition, the USFWS has water rights certificates for springs, water rights certificates for stock watering, and underground water permits and protested applications by the Southern Nevada Water Authority in the southern part of Tikapoo Valley.

**15. Location of Application Records:**

Records relating to this application are available for examination at the following locations:

Nellis Test and Training Range/XPN  
3770 Duffer Drive  
Nellis AFB, NV 89191-7001

BLM Nevada State Office  
1340 Financial Blvd  
Reno, NV 89502

BLM Southern Nevada District Office  
4701 N. Torrey Pines Drive  
Las Vegas, NV 89130

**16. Summary of Potential Mineral Activity in the Subject Area:**

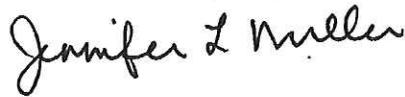
In accordance with the Engle Act, a comprehensive Geology and Mineral Potential Report covering the withdrawal expansion area will be prepared.

**17. Contamination of any or all Requested Withdrawn Lands:**

The Air Force will analyze whether the proposed use will result in contamination of any or all of the requested withdrawal expansion area, and if so, whether such contamination will be permanent or temporary [Engle Act Section 3 (5)].

If additional information is required, please contact Mr. Mike Ackerman at (210) 925-2741 or by email at [michael.ackerman.2@us.af.mil](mailto:michael.ackerman.2@us.af.mil).

Sincerely,



JENNIFER L. MILLER  
Deputy Assistant Secretary of the Air Force  
Installations

Enclosures: (1) Maps for Withdrawal Expansion  
(2) Legal Descriptions for Withdrawal Expansion

Copy to:  
SAF/IEI  
SAF/GCN  
HAF/A4C  
NTTR XP

Department of the Interior, BLM, WO-350  
Military Program Leads  
Attn: Celeste Mitchell/Brenda Wilhight  
1849 C. Street, NW, Room 2134LM  
Washington, DC 20240

BLM Nevada State Director  
Withdrawal Program  
Attn: Edison Garcia  
1340 Financial Blvd  
Reno, NV 89502



BLM Nevada Southern Nevada District Office  
Project Manager  
Attn: Thomas Seley  
4701 N. Torrey Pines Drive  
Las Vegas, NV 89130

Enclosure 1



# Application for Withdrawal Expansion of 301,507 Acres of Public Lands



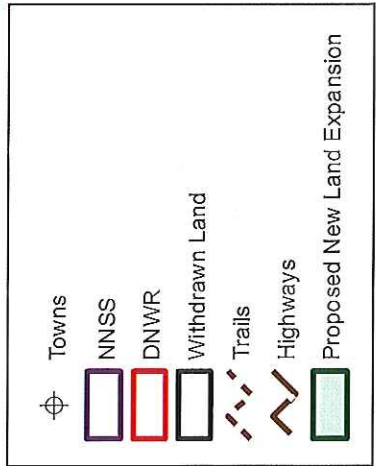
**Existing Withdrawn Land (PL 106-65)**  
2,949,603 Acres

**R77 Expansion**  
17,960 Acres

**R65 Expansion**  
48,899 Acres

**Alamo Expansion**  
227,027 Acres

**Creech/Box Canyon/R63 Expansion**  
7,621 Acres



95

95

Beatty

Indian Springs

Alamo Road

Las Vegas



NTR/RSC GIS  
Data valid as of 15 Aug 16  
Land\_Extension\_Map2.mxd

Enclosure 2



Withdrawal of Federal Lands  
Nevada Test and Training Range Expansion  
Legal Description

**EC South/Range 77:**

Mount Diablo Meridian, Nevada

T. 9 S., R. 46 E., unsurveyed,  
secs. 16, 22, 25, 26, and 36.

T. 9 S., R. 47 E., unsurveyed,  
secs. 31 and 32.

T. 10 S., R. 47 E., partly unsurveyed,  
secs. 3 thru 11.

T. 10 S., R. 48 E., unsurveyed,  
secs. 18 thru 20;  
secs. 27 thru 35.

**Range 65D:**

Mount Diablo Meridian, Nevada

T. 15 S., R. 54 E., unsurveyed,  
secs. 1 thru 3;  
sec. 4, excepting those portions withdrawn by Public Land Order 805;  
secs. 9 thru 16;  
secs. 21 thru 28;  
secs. 33 thru 36.

T. 16 S., R. 54 E.,  
secs. 1 and 2;  
sec. 3, lots 1 thru 4, S1/2NE1/4, S1/2NW1/4, N1/2SW1/4, and SE1/4;  
sec. 4, lots 1 thru 4, and S1/2NE1/4.

T. 15 S., R. 55 E., unsurveyed.

T. 16 S., R. 55 E.,  
secs. 1 thru 6.

T. 16 S., R. 55 1/2 E.,  
sec. 1, lot 1, E1/2SW1/4, NW1/4SW1/4, and SE1/4;  
sec. 2, lots 3 thru 5, NE1/4SE1/4, and W1/2SE1/4.

**Ranges 63/64:**

Mount Diablo Meridian, Nevada

T. 16 S., R. 56 E.,  
sec. 7, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;  
sec. 9, lot 2, that portion lying northerly of the northerly right-of-way line of U.S. Highway 95;  
secs. 10 and 11, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;  
sec. 12;  
secs. 13 and 14, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;  
Tract 37.

T. 16 S., R. 57 E., partly unsurveyed,  
sec. 7, W1/2 and SE1/4;  
sec. 17, W1/2 and SE1/4;  
secs. 18 and 19, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;  
sec. 20, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65;  
sec. 27, W1/2 and SE1/4;  
sec. 28, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65;  
secs. 33 and 34, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;  
sec. 35, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65.



T. 17 S., R. 58 E.,

sec. 5, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65;

sec. 6, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;

sec. 8, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95;

secs. 9 and 10, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65;

sec. 13, NE1/4 and S1/2;

secs. 14 and 15, those portions lying northerly of the northerly right-of-way line of U.S. Highway 95, excepting those portions withdrawn by Public Law 106-65;

**Alamos:**

Mount Diablo Meridian, Nevada

T. 16 S., R. 58 E., unsurveyed,

sec. 11;

sec. 12, W1/2;

sec. 13, NW1/4, that portion lying westerly of the westerly boundary of Alamo Road;

sec. 14;

sec. 23, NE1/4 and W1/2;

sec. 26, W1/2.

T. 15 S., R. 59 E., unsurveyed,

secs. 2 thru 11;

secs. 14 thru 19;

sec. 20, W1/2, that portion lying westerly of the westerly boundary of Alamo Road;

sec. 30, that portion lying westerly of the westerly boundary of Alamo Road;

sec. 31, NW1/4.

Tps. 9, 10, 11, 12, 12 1/2, and 13 S., R. 60 E., unsurveyed.

T. 14 S., R. 60 E., unsurveyed,  
secs. 1 thru 11;  
sec. 12, NE1/4 and W1/2;  
sec. 14, NE1/4 and W1/2;  
secs. 15 thru 22;  
sec. 23, NW1/4;  
sec. 27, NW1/4;  
secs. 28 thru 32;  
sec. 33, NW1/4.

T. 15 S., R. 60 E., unsurveyed,  
sec. 5, NW1/4;  
sec. 6;  
sec. 7, NE1/4 and W1/2.

T. 9 S., R. 61 E., unsurveyed,  
secs. 3 thru 10;  
secs. 15 thru 22;  
secs. 27 thru 34.

T. 10 S., R. 61 E., unsurveyed,  
secs. 3 thru 10;  
secs. 15 thru 22;  
secs. 27 thru 34.

T. 11 S., R. 61 E., unsurveyed,  
secs. 3 thru 10;  
secs. 15 thru 22;  
secs. 27 thru 34.

T. 12 S., R. 61 E., unsurveyed,  
secs. 3 thru 10;  
secs. 15 thru 22;  
secs. 27 thru 34.

T. 12 1/2 S., R. 61 E., unsurveyed,  
secs. 31 thru 34.

T. 13 S., R. 61 E., unsurveyed,  
secs. 3 thru 10;  
secs. 15 thru 21;  
sec. 22, NE1/4 and W1/2;  
sec. 28, NE1/4 and W1/2;  
secs. 29 thru 31;  
sec. 32, NE1/4 and W1/2.

T. 14 S., R. 61 E., unsurveyed,  
sec. 6, NE1/4 and W1/2.