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Military just wants to train for war in peace

But Pentagon fears it must fight environmental laws on practice terrains

By Andrew Bridges

CAMP PENDLETON, Calif.

Since this sprawling base was carved out of a cattle ranch at the onset of World War II, Marines have stormed an unassuming stretch of beach here countless times to train for battles from Iwo Jima to Nasiriyah.

The Marines have subjected Red Beach, as the 1,500-yard piece of Southern California sand is known, to punishing treatment in mock exercises designed to prepare them for combat.

Now the Defense Department is doing battle over Red Beach itself, part of a larger war the Pentagon is waging in Congress over the nation's more than 425 military installations, the largest of which dot states throughout the West. These range from the 2 million acres of New Mexico's White Sands Missile Range to the 870,000 acres of Alaska's Fort Wainwright.

The Pentagon fears much of that land, originally set aside for its exclusive use, could be snatched away from it by the Endangered Species Act and other environmental laws that address everything from porpoises to pollution. At stake, it argues, is the U.S. military's very ability to train in peace as it fights in war.

To counter the perceived threat of laws such as the Superfund and Clean Air acts, the Pentagon is pushing for exemptions.

"Use of the terrain is absolutely essential and is at the heart of our training," said John Walsh, a special assistant in the Pentagon office of the deputy undersecretary of Defense for readiness. "Those pieces of terrain can't be reserved for the fostering of endangered species."

Environmentalists vehemently oppose the initiative and call it an unwarranted rollback of key environmental laws. They fear other agencies could follow the Pentagon's lead and seek similar exemptions.

"Essentially, it's an administrative and legislative strategy to exempt them from key environmental laws that every American and every other agency has to comply with," said Susan Holmes, senior legislative representative for the environmental group Earthjustice.

The dispute comes at a time when military installations stand as some of the best, if not last, habitats for rare species.

Although much of the land included in the nation's 425 military installations gets hammered by tanks and troops, it also includes large buffers that remain pristine.

If not for the break provided by Marine Corps Base Camp Pendleton, for example, Los Angeles and San Diego would likely merge into a single megalopolis, stretching 150 miles along the California coast.

More than 300 threatened or endangered species can be found today on the 25 million acres set aside for military use, the Pentagon estimates. Camp Pendleton alone is home to 18 such species.

Base officials fear the presence of those and other species, squeezed onto Camp Pendleton by rampant development beyond its perimeter, could curtail use of 70,000 of the base's 125,000 acres, if the land is designated critical habitat. "This threatens the ability of this base to operate as a Marine Corps training base," said Stan Norquist, head of the natural resources department at Camp Pendleton.

Environmentalists dispute that claim and maintain the true figure is closer to 875 acres. Any other designated habitat on the base would be on farm fields or within San Onofre State Park, both of which lie within Camp Pendleton's boundaries.

The White House-backed exemptions package, the Readiness and Range Preservation Initiative, was introduced last year and contained eight provisions.

Congress passed three of the provisions last year, including a temporary waiver from the 1918 Migratory Bird Treaty Act, which covers 850 species of birds. This year, the Pentagon reintroduced the remaining five provisions.

As of October, just one of the five, which would allow for the exemption of some military land from critical habitat provisions of the Endangered Species Act, made it into the Senate version of the 2004 defense authorization bill. The House version also includes Navy-sought exemptions from the Marine Mammal Protection Act.

A House-Senate conference committee is hashing out the differences.

The Department of Defense claims the environmental laws, coupled with population growth and development, have significantly restricted its use of land set aside for training and testing, including live-fire exercises. Such encroachment will worsen and could lead to serious readiness problems unless Congress steps in, Pentagon officials have warned.

However, a 2002 report by the U.S. General Accounting Office failed to uncover any data to quantify the impact of that encroachment on military training and costs.

And opponents point out that the laws currently allow for case-by-case exemptions for the military.

"There's no justification for it at all. There is no evidence presented by the military that training has suffered because of environmental laws," said Daniel Patterson, a desert ecologist with the Center for Biological Diversity.

Camp Pendleton subsequently undertook its own effort to do so. It now claims, for certain exercises involving entire units, it can accomplish just 68% of the training tasks required of it.

Rep. Norm Dicks, D-Wash., opposes the proposed exemptions as redundant. The Defense Department already has authority to exempt itself from environmental law if national security is at stake, said his aide, George Behan.

Rep. Elton Gallegly, R-Calif., disagrees. The Defense Department "has never exercised its authority to exempt itself because under current law the process is too cumbersome and time-consuming for the military to use it," said Gallegly aide Thomas Pfeifer.

Environmentalists fear the effort is part of a broader agenda to weaken environmental protections. The House version especially alarms environmentalists. It would exempt the Pentagon from habitat-protection mandates outlined in the Endangered Species Act, if the military substitutes its own plans to ensure the survival of the affected species.

The Senate version differs in that it would require the U.S. Fish and Wildlife Service to review the plans before the Pentagon can implement them.

The House version would also exempt the Pentagon from restrictions that curtail the killing or harming of marine mammals, including dolphins and whales.

The Pentagon complains that the need to safeguard marine mammals hinders the development and testing of low-frequency sonar. The sonar is needed to detect the growing threat posed by quiet diesel submarines operated by North Korea, Iran and others, Pentagon officials said.

The Navy and environmentalists recently settled a lawsuit over the sonar that limited its peacetime use to areas along the eastern seaboard of Asia. The Navy also agreed to

seasonal restrictions designed to protect whale migrations, and to avoid using the system near the coast.

On land, the military said it has been a good steward to endangered and threatened species. Officials frequently cite one of the rarest mammals found in the USA, the Sonoran pronghorn antelope.

The pronghorn's primary habitat in the USA lies within Arizona's Barry M. Goldwater Range, where pilots train in live-fire exercises. On average, 7% of all scheduled bombing missions are scrubbed because pronghorn have been spotted near targets, said Air Force Col. James Uken, the Goldwater's range management officer; 26% are rerouted to secondary targets. The moves ensure the continued survival of the fewer than three dozen antelope that live in the region.

Environmentalists fear the sought-after exemptions could reverse the military's conservationist course.

"Ultimately, what's at stake is the military's legacy of conservation," Patterson said.