

MARILYN K. KIRKPATRICK  
Madam Chair



*Board of County Commissioners*

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November 13, 2019

The Honorable Senator Catherine Cortez Masto  
516 Hart Senate Office Building  
Washington, DC 20510

**RE: SOUTHERN NEVADA ECONOMIC DEVELOPMENT AND CONSERVATION ACT – SECTIONS 702 & 703**

Dear Senator Cortez Masto,  
I am writing to notify you that Clark County and the Southern Nevada Water Authority (SNWA) are offering revisions (enclosed) to Sections 702 and 703 of the draft Southern Nevada Economic Development and Conservation Act.

While I believe the language in the September 4, 2019 bill draft circulated by Clark County sufficiently limited these sections to energy transmission lines and conveyance of water infrastructure facilities in Clark County, we offer additional clarifications to make it absolutely clear that nothing in these sections shall be interpreted to grant any rights-of-way for SNWA's groundwater development project or to permit any public water agency to obtain title to federal lands for the purpose of constructing the groundwater development project referenced in right-of-way grant N-78803.

We appreciate your continued efforts to craft a bill that meets the needs of southern Nevada's growing population and adds to Clark County's already impressive conservation portfolio. Should you wish to discuss these sections further, please don't hesitate to contact me.

Sincerely,

Marilyn Kirkpatrick  
Chair County Commission

cc: Senator Jacky Rosen  
U.S. Representative Dina Titus  
U.S. Representative Mark Amodei  
U.S. Representative Susie Lee  
U.S. Representative Steven Horsford  
Clark County Board of County Commissioners  
Nye County Board of County Commissioners  
Central Nevada Regional Water Authority  
White Pine Board of County Commissioners  
Inter-Tribal Council of Nevada

Salt Lake County Council, UT  
Millard County Commission, UT  
Juab County Commission, UT  
Confederated Tribes of the Goshute Reservation  
Ely Shoshone  
Great Basin Water Network  
Sierra Club-Tolyabe Chapter  
Progressive Leadership Alliance of Nevada  
Center for Biological Diversity  
National Parks Conservation Association

## **SEC. 702. EASTERN NEVADA RENEWABLE ENERGY TRANSMISSION PROJECT.**

(a) IN GENERAL—Notwithstanding sections 202 and 503 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1763) and notwithstanding any other provision of law, subject to valid and existing rights, the Secretary of the Interior shall, within thirty (30) days from the enactment of the Act, grant to the Southern Nevada Water Authority a nonexclusive right-of-way to federal land in Clark County and Lincoln County, Nevada for construction and operation of a power line to convey power between Coyote Springs Valley and Las Vegas Valley, as shown on the map entitled “SSEA 230kV Transmission” and dated March 12, 2018. The geographic extent of the right-of-way required under this section shall consist of those areas included in rights-of-way previously granted to the Silver State Energy Association and to the Southern Nevada Water Authority under N-86357 and N-78803 for power lines within Clark County and southern Lincoln County (Coyote Springs Valley), which were issued subject to and remain the subject of any applicable requirements and judicial review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.). Notwithstanding reference herein to N-78803, nothing in this section shall be interpreted to grant any rights-of-way for the groundwater development project referenced in N-78803 other than for the power lines identified therein. The right-of-way granted to the Southern Nevada Water Authority under this section for power line construction and operation shall be subject only to the terms, conditions, and stipulations set forth in N-86357 and N-78803, and shall be granted in perpetuity and shall not require the payment of rental fees.

## **SEC. 703. WATER INFRASTRUCTURE CONVEYANCES FOR PUBLIC PURPOSES.**

(a) IN GENERAL—Notwithstanding sections 203, 211 and 508 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1721, 1768) and notwithstanding any other provision of law, subject to valid and existing rights, the Secretary of the Interior shall, upon request by a public water agency, convey and transfer title of the federal lands on which water infrastructure owned or managed by that public water agency is located within Clark County. The conveyance and transfer shall not require payment and shall not be subject to further administrative or judicial review. Nothing in this section shall permit any public water agency to obtain title to federal lands for the purpose of constructing the groundwater development project referenced in right-of-way grant N-78803.