

# **CLARK, LINCOLN AND WHITE PINE COUNTIES GROUNDWATER DEVELOPMENT PROJECT Draft Environmental Impact Statement**

## *Frequently Asked Questions and Answers*

Since 2004, the U.S. Bureau of Land Management (BLM) has been conducting research and managing an environmental study – an Environmental Impact Statement (EIS) -- to examine the effects of this complicated and controversial proposal. We've gotten many questions and heard concerns from people around the region. This document tries to answer many of those questions and concerns, but some can only be addressed when all the environmental studies are finished. We'll update this document as we learn more.

### **PROJECT OVERVIEW**

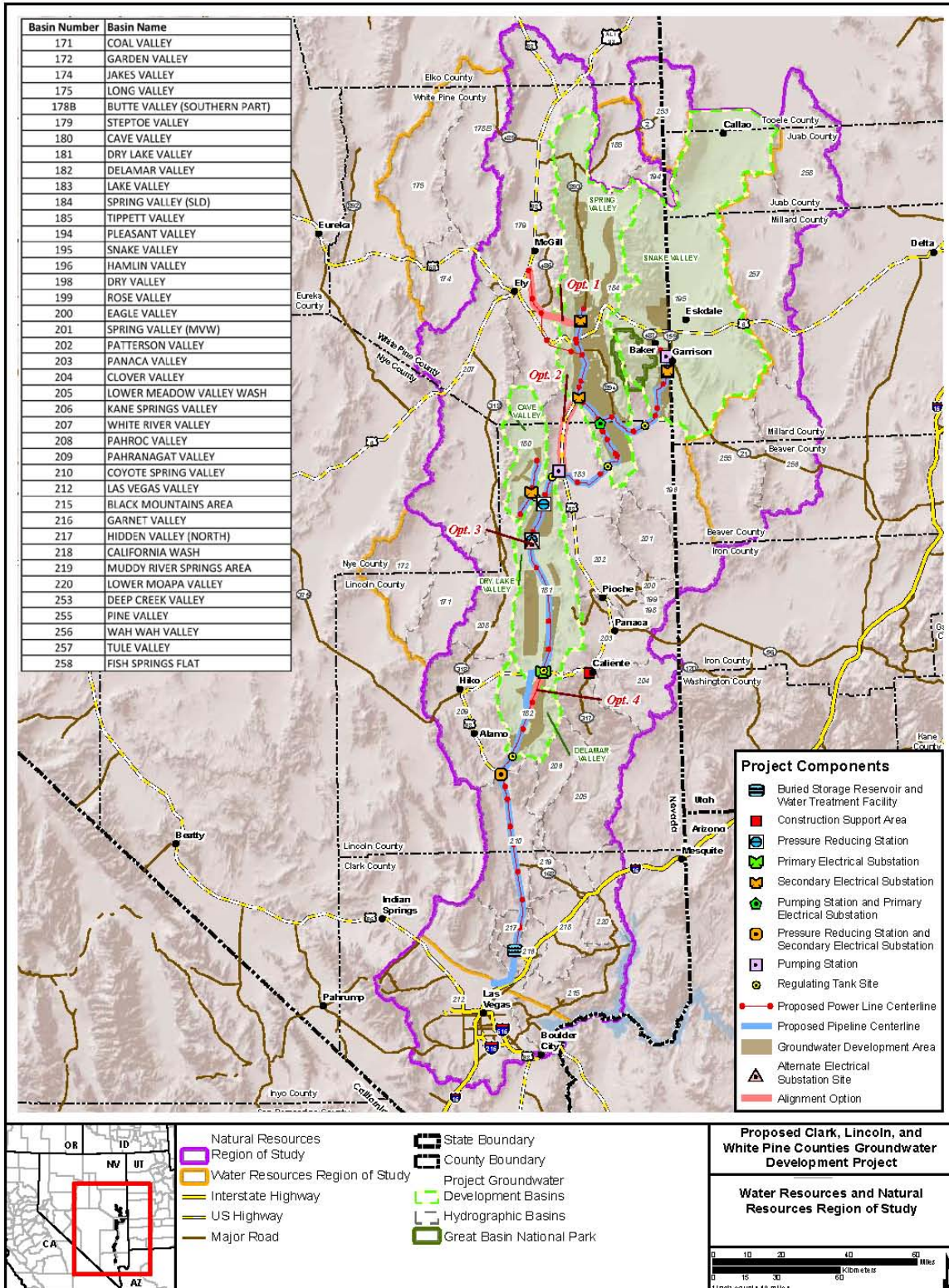
#### **What is this project all about?**

The Southern Nevada Water Authority (SNWA) is authorized by the State of Nevada to provide water for customers in the Las Vegas Valley and Boulder City, Nevada. SNWA acquires and manages long-term water resources for the majority of southern Nevada. Historically, southern Nevada has relied primarily on the Colorado River to meet its water needs. Reductions in flow over recent years, complicated river water rights allocations, ongoing drought, and past growth in both population and businesses in the southwestern U.S. threaten to over-use available Colorado River water. To meet water demands and ensure a water supply in case of future drought SNWA wants to address chronic shortages through both conservation and development of new water sources.

More than 20 years ago the Las Vegas Valley Water District, now a member of SNWA, began filing applications for water rights on lands in northern Nevada – specifically Lincoln and White Pine counties – with the Nevada State Engineer (NSE) as a means to access groundwater to supplement Colorado River water if needed in the future. These applications, since transferred to SNWA, have been the subject of many regulatory and legal reviews over the years, and they will ultimately be decided through the NSE hearing process. The next NSE hearings for these applications are planned in autumn 2011.

Meanwhile, in 2004, when it became apparent that additional water supplies would be needed for southern Nevada, SNWA applied to the U.S. Bureau of Land Management (BLM) for a right-of-way (ROW) to build a pipeline across public lands to bring water from the northern Nevada basins, where SNWA has water applications, to the Las Vegas area. The BLM released a draft EIS for this pipeline project on June 10, 2011.

The map shows the affected counties and groundwater basins and the proposed pipeline route.



No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.

## **What is the role of the Bureau of Land Management (BLM) in this project?**

The BLM is a federal land management agency, created in 1946 within the U.S. Department of the Interior. The BLM manages the multiple uses of public lands that fall within their jurisdiction. Our goal is to maintain the health, diversity, and productivity of these lands so they can be used and enjoyed today and by our children in the future.

Many types of uses are allowed on BLM-managed public lands, as long as they conform to federal laws and regulations and they're examined for environmental, cultural, and social impacts. Rights-of-way for projects like pipelines and power lines are common uses of public lands, and that is the portion of this proposed project that affects the BLM.

In this case, the BLM is only responsible for deciding on a right-of-way for the pipeline portion of the project.

The law does not allow the BLM to approve the actual withdrawal of groundwater that would be transported through the pipeline from northern Nevada to Las Vegas; that decision must be made by the Nevada State Engineer.

The environmental study that BLM has managed for this project includes researching and predicting the actual effects of the groundwater withdrawal because it is considered a "connected" action to the pipeline. In other words, if it were not for the groundwater withdrawal, the pipeline would not be needed. Even though the BLM does not have the authority to approve or deny the groundwater withdrawal portion of the project, it's necessary to study the environmental impacts of the entire project, and grant or deny a pipeline right-of-way based on several factors.

## **What is the role of the Nevada State Engineer in this project?**

The State of Nevada Department of Conservation and Natural Resources, Division of Water Resources - headed by the State Engineer - is responsible for the administration and enforcement of Nevada's water laws. This includes the appropriation, distribution, and management of the state's surface and groundwater. The State Engineer has ultimate authority over many actions that affect water "owned" by the State of Nevada and its residents, including approving or denying water rights applications and transfers. The State Engineer's role in this project is to decide whether to grant water rights in White Pine and Lincoln counties to the SNWA and, if so, how much water to grant.

Decisions by the State Engineer concerning water rights are decided through a legal process that may, at the discretion of the State Engineer, involve formal hearings, in which the applicant and protestants submit evidence and provide testimony. Other affected and interested parties can offer substantive public comments. All of this information is taken into account - along with science, research and applicable laws - when deciding whether to approve a water right or not.

This BLM National Science and Technology Center website contains a good summary of water rights procedures in Nevada:

- <http://www.blm.gov/nstc/WaterLaws/nevada.html>

Information about past hearings that have been held for portions of this project can be found on the Nevada State Engineer website.

- For Cave, Dry Lake and Delamar valley water rights hearings, see <http://water.nv.gov/hearings/waterhearing/drycavedelamar/index.html>
- For Spring Valley hearings, see <http://water.nv.gov/hearings/waterhearing/spring%20valley/index.html>
- For Snake Valley hearings, see <http://water.nv.gov/Hearings/waterhearing/snakevalley/index.html>

### **What laws and regulations apply to this project?**

There are dozens of federal, state and local laws and regulations that apply to this very large and very complex project. Federal laws include:

- The National Environmental Policy Act of 1969, which requires conducting the environmental impact study
- The National Historic Preservation Act of 1966, which requires the protection of cultural resources
- Department of Interior Government-to-Government Consultation Policy, which outlines how the U.S. government must work with sovereign Indian nations
- Other laws that apply to this project include the Endangered Species Act, the Lincoln County Conservation Recreation and Development Act, the Southern Nevada Public Lands Management Act, and Federal Lands Policy and Management Act.

## **WATER ISSUES**

### **How much water will be included in this project – and exactly where would it come from?**

SNWA's proposed project could develop more than 176,000 acre-feet per year from five hydrographic basins (Snake Valley, Spring Valley, Cave Valley, Delamar Valley, and Dry Lake Valley). In addition, the pipeline could move additional existing SNWA water rights and water for the Lincoln County Water District from identified and undetermined sources.

According to Wikipedia, an acre-foot of water is defined as the volume of one acre of surface area filled to a depth of one foot, or approximately 325,851.4 U.S. gallons. As a rule of thumb, in the desert Southwest a typical family uses about 0.25 acre-feet of water per year.

### **How many years will this water withdrawal last?**

No end date for water withdrawals has been identified.

### **Who owns this water, what gives Las Vegas the right to take it?**

There are many diverse water rights that have existed historically throughout Nevada. By state law, water rights can be transferred, bought, sold, and this process is managed by the Nevada State Engineer. Unallocated water is the property of the citizens of Nevada, represented and managed by the NSE. Like anyone else, Las Vegas - as represented by SNWA - has a right to negotiate to obtain water rights from anyone, as long as they can meet all state laws that govern such transactions.

### **How much water is in these basins, how much is being used for this project, how much would be left and how long will it last?**

Because most of the water involved in this project is groundwater, it's difficult to see, measure, or even locate accurately. Hydrologists and geologists have developed mathematical computer models to predict the amount of water available in underground basins (aquifers), where that water comes from, if and how the basins are connected to each other and to surface water sources, how they are replenished over time, and what happens when various amounts of water are withdrawn from them.

A groundwater computer model has been developed, reviewed by experts, and approved for use in this project. The computer model shows that groundwater levels will decline under all pumping alternatives.

### **Can this project be stopped if there's not enough water available?**

That's part of what the State Engineer will evaluate through its hearing process. Balancing water needs and water resource availability is a critical piece of the decision about whether to approve SNWA's applications.

## **PIPELINE ISSUES**

### **How would the water be moved to southern Nevada?**

The proposed conveyance system for transporting water includes:

- 306 miles of buried water pipeline
- 323 miles of power line (25, 69, & 230 kV)
- Five pumping stations
- Six regulating tanks (each ~3,000,000 gallon capacity)

- One buried storage reservoir (40 million-gallon capacity)
- One water treatment facility (165 million-gallon/day capacity)
- Seven electrical substations
- Three pressure reduction facilities
- Associated access roads

The planned locations of these facilities are generally shown on the map included in this FAQ sheet.

**Is BLM required to approve the pipeline right-of-way?**

Not necessarily in every county.

## STUDY PROCESS

### How will the BLM decide whether this project will adversely impact federal lands?

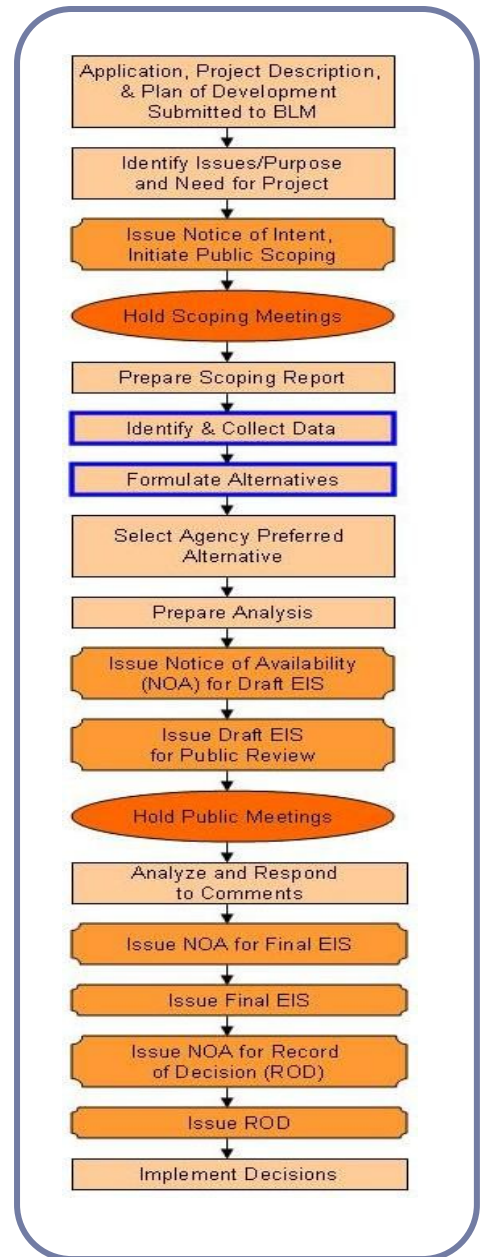
The BLM is reviewing the project according to the National Environmental Policy Act (NEPA). NEPA requires all federal agencies to fully consider and document any potential environmental consequences that could result from a proposed action. Deciding whether or not to grant the right-of-way across federal lands for a project of this magnitude is a major undertaking. As a result, the BLM is preparing an Environmental Impact Statement (EIS), which is the most comprehensive approach available under the law. Technical studies conducted for the EIS include detailed assessments for all environmental, cultural, and social resources as well as a thorough study and comparison of alternative project “designs”.

The EIS process is shown in the accompanying flow chart. An executive summary, the complete Draft EIS, and all accompanying research are available to anyone interested in reviewing and commenting on it. After BLM thoroughly reviews and considers all comments, answers questions and attempts to address all issues, a Final EIS and recommendation will be made available to the public. It will then be up to the BLM Nevada State Director in consultation with the BLM Utah State Director to decide whether – and under what conditions – to approve the pipeline project, and this decision will be issued in a document called the Record of Decision.

A major component of the EIS process is public and stakeholder involvement to ensure that citizens and communities are informed of the proposed actions and have a voice in the decision-making process.

### Where did the BLM get the information to assess the project impacts?

Both BLM scientists and resource experts and environmental contractor scientists and experts have conducted technical studies for this EIS, using historical and existing information and new research to gather data and assess impacts. Groups of experts from the U.S. Geological Survey, other agencies, organizations and universities were assembled to gather input on natural resources, hydrology, socioeconomics and other specialized topics.



## **What alternatives were considered in the EIS?**

The EIS looks at a range of groundwater development alternatives to assess possible impacts and provide different pumping options. One alternative is SNWA's current proposal, which represents the greatest impacts from groundwater pumping, as well as the biggest construction footprint. Five other alternatives include less groundwater pumping, reduced pumping frequency, or fewer developed wells. The EIS also evaluates the affects of a "No Action" alternative that assumes the project would not be built at all.

## **PUBLIC INVOLVEMENT**

### **How does the BLM involve citizens and communities?**

Public involvement first began on this study in 2005 and 2006. During the early stage of the project BLM worked with agencies and the public to help identify the significant issues that should be addressed in the EIS. During that time BLM hosted nine (9) public meetings throughout Nevada and Utah, from which 7,500 stakeholder comments were received and studied. A second public scoping period was held in 2006 where 200 more comment letters were received.

This EIS is a major proposal that involves multiple federal, state, local, and tribal entities with varying legal authority over the five basins included in the Proposed Action. Several entities have signed a formal memorandum of agreement as a Cooperating Agency in this EIS with the BLM:

- Bureau of Indian Affairs
- Bureau of Reclamation
- Central Nevada Regional Water Authority
- Clark County, Nevada
- Juab County, Utah
- Lincoln County, Nevada
- Millard County, Utah
- National Park Service
- Nellis Air Force Base
- Nevada Department of Wildlife
- Tooele County, Utah
- US Army Corps of Engineers
- US Forest Service
- US Fish and Wildlife Service
- State of Utah
- White Pine County, Nevada

Cooperating Agency representatives have met regularly with the BLM and SNWA to contribute information, review the alternatives, help develop the technical methods and review study results.

### **What's being done to address the concerns of American Indian Tribes?**

Working with tribes is extremely important to this study and the BLM has met numerous times over several years with key tribal groups, tribal elected officials, as well as expert and individual tribal members. Formal government-to-government interaction is continuing under the process outlined in the National Historic Preservation Act. An ethnographic assessment documents specific tribal concerns and identifies geographic areas that the tribes believe should be protected to preserve their unique historic and cultural values. In addition, BLM has facilitated multi-tribal informational sessions and NEPA seminars to help tribes stay up-to-date on the law and project specifics. The comments and concerns that BLM has heard from the tribes are carefully considered in this EIS.

### **How can I learn more about this project and stay involved in the decision-making process?**

Two parallel approval processes are going on for this project, the BLM pipeline right-of-way Environmental Impact study and the Nevada State Engineer water applications process. Anyone can be actively involved in either or both of them.

#### ***Nevada State Engineer Process***

Public hearings will be held on several dates in Carson City from September through November 2011 by the State of Nevada Division of Water Resources. For the specific schedule and more information click on the NSE website at <http://water.nv.gov>, or call the NSE office at 775.684.2800.

#### ***BLM Process***

Both the BLM and SNWA maintain websites with the most comprehensive, up-to-date project information, including project overviews, fact sheets, newsletters, and information related to upcoming public meetings.

The BLM website can be accessed at:

<http://www.blm.gov/5w5c>

Additional information is available from the SNWA at:

[http://www.snwa.com/html/system\\_gdp.html](http://www.snwa.com/html/system_gdp.html)

- We'll add you to the mailing list if you send an email to the BLM Nevada Groundwater Project Office at [nvgwprojects@blm.gov](mailto:nvgwprojects@blm.gov) or just call 775.861.6681, give us your name and address and ask to be included on all future mailings.

- Public meetings will also give people a chance to learn more about this project, ask questions, speak with experts and provide formal comments.
- You can also schedule a speaker for your organization by calling the BLM Office of Public Affairs at: 775.861.6515

The BLM is committed to working with communities and involving stakeholders and citizens in this decision. If you have suggestions or ideas for additional opportunities for involvement, please call JoLynn Worley at the BLM Office of Public Affairs at 775.861.6515, or send an email to: [jworley@blm.gov](mailto:jworley@blm.gov)