

The Legislature:

Water grab or sound policy? Proposed water legislation creates tempest in Carson City

By [John Sadler \(contact\)](#)

Friday, May 24, 2019 | 2 a.m.

CARSON CITY — Proposed legislation tackling water rights has environmental activists concerned about the specter of a north-to-south pipeline.

Assembly Bill 30 would allow the state engineer's office to create monitoring, management and mitigation plans — referred to as 3M plans — to deal with conflicts that would arise when an application for water use is in conflict with senior water rights holders.

Environmentalists and a Republican lawmaker spoke Thursday outside the Legislative Building, slamming the bill as a water rights grab and precursor to a long-discussed project to pump water from the relatively wetter Northern Nevada to the Las Vegas area.

Water Network, spoke bluntly.

would funnel groundwater over hundreds of miles, was first northern Nevada ranchers and farmers have long opposed its

the bill, saying that it could have a large effect on the state's "asn't enough data on available water for lawmakers to make

rt moving any real amount of water," he said.

Currently, the state engineer's office is required to deny any requests for water that conflict with senior rights holders.

The bill, however, would allow the state engineer to work around that by creating plans that would "avoid" any potential conflict by working with the stakeholders.

Opponents, like Great Basin Water Network President Abby Johnson, see this as foundational change to Nevada water law.

"AB30 solves nothing. It complicates rather than clarifies," she said. "It is not supported by stakeholders. AB30 should end here and now."

Roerink agrees.

“Nevada water law is not based on shared sacrifice,” he said.

Tim Wilson, the state engineer, gave an example of how the 3M plans might be used. If a large groundwater pumping project — which Wilson says are rife with uncertainty — is approved and began to drain a well that wasn’t planned for, the party who drained the well would have to fix the issue.

“We want to make sure we have mitigation up-front,” Wilson said.

Patrick Donnelly, state director for the Center for Biological Diversity, expressed concerns about 3M proposals, especially any plan that could conceivably make an environment dependent on humans by, say, requiring replacement water be trucked in to replace removed water.

Replacing groundwater, he said, won’t be that easy.

“Groundwater moves slowly, and behaves paradoxically,” he said. If groundwater is pumped too quickly, he said, simply turning off the tap won’t immediately refill the area’s supply.

Groundwater regeneration rates change depending on many different environmental factors. Some underground aquifers conceivably could take thousands of years to refill entirely, he said.

Donnelly is pessimistic about the bill’s impact, saying it could serve as a precursor to water grabs.

“You could envision the whole state becoming a network of pipelines, all draining to Las Vegas or Reno,” Donnelly said.

Gov. Steve Sisolak’s office deflected questions about the controversial legislation. A spokeswoman for the governor’s office said that “as with all other bills progressing through the Legislature, the governor looks forward to monitoring AB30 as it moves through the legislative process.”

Bradley Crowell, director of the Nevada Department of Conservation and Natural Resources, says the bill is necessary for water mitigation in one of the fast-growing (and the driest) states in the country.

“The current statute doesn’t provide a whole lot of tools and certainly not a whole lot of clarity about what tools are available,” he said.

Crowell rejected concerns about the bill, saying AB30 would not affect the pipeline development.

“It’s unfortunate that (the bill) has been tied up in the pipeline politics because it’s been prohibiting us from having productive conversations,” he said.

The bill was introduced by the Assembly Committee on Natural Resources, Agriculture and Mining on behalf of the Department of Conservation and Natural Resources’ Division of Water Services. It sailed through the Assembly, which approved it by a 31-9 vote in April. The bill, however, is in limbo, with no Senate vote currently scheduled. With the legislative deadline for second house passage coming on Friday night, the bill will die without a waiver.

“That bill needs to stay on the clerk’s desk until midnight tomorrow night ... let it die,” Donnelly said Thursday.

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