

## Las Vegas pumping plan could harm sensitive species, say enviros

**April Reese, E&E reporter**

Plans by the Southern Nevada Water Authority to pump more than 13 billion gallons of water from eastern Nevada to Las Vegas has drawn multiple protests from environmentalists who argue the project would harm numerous rare and sensitive species.

Proponents of the project say it is essential to help Las Vegas, which is scrambling to find new water supplies to support future growth. But the Center for Biological Diversity argues that exporting groundwater from eastern Nevada would come at the expense of the Moapa dace, an endangered fish, as well as several bat species, the southwestern willow flycatcher, the Bonneville cutthroat trout and other species.

“What happens is, when you take out water in one place, you’re going to be affecting the entire system, even though the effects may not be known for hundreds of years,” said Rob Mrowka, an ecologist with CBD. “You’re drying out the desert further than it is already. You could be affecting desert fish and other species years down the road.”

And with climate change placing additional strain on water resources, the eastern Nevada aquifer may

recharge more slowly in the future, he added.

CBD has filed 130 protests of water rights applications submitted by Nevada water utilities, including the Southern Nevada Water Authority, the Lincoln County Water District and the Virgin Valley Water District, over plans to draw groundwater from White Pine, Lincoln, Nye and Clark counties in the eastern part of the state.

J.C. Davis, a spokesman for the Southern Nevada Water Authority, said groundwater can be pumped from the aquifer beneath eastern Nevada without adversely affecting the fish and wildlife that depend on springs and seeps in the area.

“We want to make sure none of those species come to harm,” he said.

Monitoring wells will be drilled to detect any drawdown in the aquifer and pumping could be halted to prevent harm to species, he said. Furthermore, state requirements would ensure that overpumping does not occur.

“You can’t just pump the aquifer to your heart’s content,” Davis said, adding that the Nevada state engineer would establish parameters for how much water the utility could take.

And while environmentalists advocate boosting conservation

measures to stretch Las Vegas’ water supplies, Davis said conservation alone is not enough to provide for southern Nevada’s long-term needs.

“This [debate] is not over water use, it’s who’s using it,” Davis said. “The idea is, ‘Growth is bad, so water shouldn’t be used for it.’ But the fact is people don’t move to places where there’s an adequate water supply, so unless we’re going to change that, we have to deal with finding enough water.”

Meanwhile, the status of SNWA’s water rights applications is in limbo after a January ruling by the Nevada Supreme Court.

Reversing a lower court ruling, the Supreme Court determined that the state engineer violated Nevada’s one-year time limit for approving water rights applications when he granted the Southern Nevada Water Authority rights to 40,000 acre-feet each year to meet growing demand in the Las Vegas metro area. SNWA had applied for the water rights more than two decades ago, but the justices ruled population growth in the Las Vegas area warranted that more residents have a say in the applications.

The Supreme Court referred the case back to Senior District Judge Norman Robison to determine whether the water authority must

file new applications or if the state engineer must reopen the protest period and hold additional hearings on the original applications. Meanwhile, the water authority filed new water rights applications, Davis said, which CBD is now protesting.

Since thousands of other water rights applications also failed to be reviewed within the one-year timeframe, the ruling could have far-reaching implications for water users across the state. Both SNWA and the state of Nevada have asked the Supreme Court to reconsider its

ruling. If it stands, officials estimate the decision could impact 14,500 approved water rights or pending water rights applications in Nevada.

At the same time, the water authority, developers, and others have urged the Nevada Legislature to hold a special session to remove the one-year review requirement. But Gov. Jim Gibbons (R) said this week he would wait until the Supreme Court decides whether to reconsider the ruling before requesting a special legislative session to resolve the issue.

But new protests filed over water rights applications, including CBD's, are not likely to prompt the state engineer to change his view that the withdrawals are warranted, Davis said.

“Scientifically, nothing has changed,” he said. “So the chance that new protesters will introduce information that would change things is minimal. It will be surprising if they enter anything into the record that’s different than what’s already out there.”