

# Las Vegas Review Journal

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## Water authority's pipeline project now in hands of federal judge

By Henry Brean Las Vegas Review-Journal  
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For the moment, the future of the Southern Nevada Water Authority's pipeline to eastern Nevada is in the hands of U.S. District Judge Andrew Gordon.

At the end of a two-hour hearing in Las Vegas on Monday, Gordon said he would issue a written ruling at a later date that could determine whether the authority is allowed to build its multibillion-dollar project across roughly 300 miles of federal land.

At issue is the U.S. Bureau of Land Management's 2013 decision to grant a right of way for the massive network of pumps and pipes the authority eventually plans to use to deliver more water to Las Vegas from as far away as Great Basin National Park.

A coalition of local governments, tribes and environmental groups in Nevada and Utah filed a lawsuit in 2014 accusing the BLM and the Interior Department of ignoring environmental laws and tribal trust obligations in their review of the pipeline.

New Mexico attorney Simeon Herskovits, who represents many pipeline opponents, argued Monday that federal officials failed to consider the entire scope of the project and all of its possible, long-term impacts, opting instead for a "tiered" approach that deferred key decisions about how much environmental damage might be allowed and how it would be mitigated.

At the very least, said Marc Fink, attorney for the Tucson, Arizona-based environmental group Center for Biological Diversity, the BLM should be required to update its environmental review of the project to consider the impacts of climate change on the four rural groundwater basins targeted by the authority.

But attorneys for the federal government and the authority defended the work done so far.

"That analysis was done, and it was done in a very thorough way," said Luther Hajek, a lawyer with the Justice Department.

Attorney Hadassah Reimer, who represents the water authority, noted that the BLM was directed by Congress to grant a right of way for the main “trunk line” for the groundwater project.

She said the project will provide a much-needed alternate supply for a growing community that gets 90 percent of its water from the Colorado River by way of Lake Mead.

The authority one day hopes to pump up to 84,000 acre-feet of water a year — enough to supply roughly 170,000 average Las Vegas homes — from Cave, Dry Lake and Delamar valleys in Lincoln County and Spring Valley in White Pine County.

There is no specific timeline for when the project, which the latest estimates say will cost about \$15 billion to finance and construct, might be built.

The authority’s current 50-year water resource plan indicates groundwater from the rural valleys north of Las Vegas won’t be needed until 2035 at the earliest.

State Engineer Jason King has scheduled a two-week hearing starting Sept. 25 to decide, for the third time since 2010, just how much groundwater the authority should be allowed to pump from the four valleys.

Twice before, Nevada’s top water regulator has granted water rights for the project only to have his decision reversed in state court.

Gordon didn’t say exactly when he would rule on the federal lawsuit, but he told the litigants to expect a decision before the state water hearing in September.

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