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Proposed Lincoln County development ripped

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At least one environmental group has come out swinging against proposed federal legislation that would release 100,000 acres of land in Lincoln County for development.

What has activists with the Seattle-based Western Land Exchange Project most upset is that the bill, if passed in its present form, would overturn years of litigation by environmentalists against the Bureau of Land Management's planned sale of another 13,000 acres of Lincoln County land near Mesquite.

The bill also would release 87,000 acres of federal land for sale and development by the BLM and create rights of way for future water pipelines to bring rural water to Clark County.

The Western Land Exchange Project won a decision in federal court in March blocking the sale of 6,000 acres near Mesquite, the first scheduled phase of sales of 13,000 acres required in legislation passed in 2000. Like the legislation introduced Wednesday, Sen. Harry Reid, D-Nev., and his three state colleagues then in the House and Senate supported the 2000 bill. The legislation Reid introduced this week would require the sale of all 13,000 acres within 75 days of the new bill's passage.

The Western Land Exchange Project, the Committee for the High Desert and the Center for Biological Diversity won a decision in March that the federal government needed to do full environmental assessments on the effect presence of thousands of new homes in the largely unpopulated area -- including where water for the development would come from.

The BLM appealed the March decision by U.S. District Judge David Hagen to the 9th U.S. Circuit Court of Appeals, but no schedule for the appeal has been set. The bill introduced Tuesday would effectively trump the court decision, said Christopher Krupp, an attorney for the Western Land Exchange Project.

"Congress can overturn the results of a lawsuit by passing legislation," Krupp said. "Despite what the court found, Harry Reid and the rest think there's no reason not to get rid of this land as soon as possible."

Krupp said that no water source for the 13,000 acres has ever been established.

"The court determined that BLM violated the law," Krupp said. "Now Nevada's congressional delegation is saying 'Who cares?' Well everyone in Nevada should care, because the court cited limited groundwater to support development in southern Lincoln County."

Tessa Hafen, Reid's spokeswoman, said the provision on the 13,000 acres was an effort to put a long debate to rest.

"It's been an issue for four years," she said. "Now with the legislation, Senator Reid and the rest of the Nevada delegation want to expedite this process."

Some conservationists were involved in the drafting of the bill. John Wallin, director of the Nevada Wilderness Project, said the 13,000 acres near Mesquite were not part of those conversations.

"This never came up," he said.

Other environmental groups also have issues with the new bill. Barbara Boyle, senior regional representative for the Sierra Club, one of the nation's strongest environmental groups, said her group needed time to "review it carefully."

Environmental activists are concerned that another portion of Tuesday's bill would open up hundreds of miles of rights of way for pipelines that would carry rural water to Las Vegas. The Southern Nevada Water Authority, which plans on drilling wells throughout Lincoln and White Pine counties to slake the growing demand for water in urban Clark County, needs the rights of way to bring the water here.

The bill's backers say the water authority would still have to do environmental assessments before the pipelines could be built and the Nevada State Engineer still must approve water rights before wells could be drilled.

Wallin said the Nevada Wilderness Project and other groups still have concerns about the pipeline rights-of-way, but Wallin said the bill sets aside 770,000 acres for permanently protected federal wilderness -- a victory for environmentalists.

Wallin said, however, that the bill needed to add some more wilderness before the Nevada Wilderness Project and the Nevada Wilderness Coalition, an umbrella of conservation groups, could solidly back the legislation.

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