

118TH CONGRESS
1ST SESSION

S. 2042

To amend the Sloan Canyon National Conservation Area Act to adjust the boundary of the Sloan Canyon National Conservation Area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2023

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Sloan Canyon National Conservation Area Act to adjust the boundary of the Sloan Canyon National Conservation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sloan Canyon Con-
5 servation and Horizon Lateral Water Pipeline Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) CONSERVATION AREA.—The term “Con-
 2 servation Area” means the Sloan Canyon National
 3 Conservation Area.

4 (2) SECRETARY.—The term “Secretary” means
 5 the Secretary of the Interior (acting through the Di-
 6 rector of the Bureau of Land Management).

7 **SEC. 3. SLOAN CANYON NATIONAL CONSERVATION AREA**
 8 **BOUNDARY ADJUSTMENT.**

9 (a) BOUNDARY ADJUSTMENT.—

10 (1) MAP.—Section 603(4) of the Sloan Canyon
 11 National Conservation Area Act (16 U.S.C. 460qqq–
 12 1(4)) is amended by striking “map entitled ‘South-
 13 ern Nevada Public Land Management Act’ and
 14 dated October 1, 2002” and inserting “map entitled
 15 ‘Proposed Sloan Canyon Expansion’ and dated June
 16 7, 2023”.

17 (2) ACREAGE.—Section 604(b) of the Sloan
 18 Canyon National Conservation Area Act (16 U.S.C.
 19 460qqq–2(b)) is amended by striking “48,438” and
 20 inserting “57,728”.

21 (b) RIGHT-OF-WAY.—Section 605 of the Sloan Can-
 22 yon National Conservation Area Act (16 U.S.C. 460qqq–
 23 3) is amended by adding at the end the following:

24 “(h) HORIZON LATERAL PIPELINE RIGHT-OF-
 25 WAY.—

1 “(1) IN GENERAL.—Notwithstanding sections
 2 202 and 503 of the Federal Land Policy Manage-
 3 ment Act of 1976 (43 U.S.C. 1712, 1763) and sub-
 4 ject to valid existing rights, the Secretary of the In-
 5 terior, acting through the Director of the Bureau of
 6 Land Management (referred to in this subsection as
 7 the ‘Secretary’), shall, not later than 1 year after
 8 the date of enactment of this subsection, grant to
 9 the Southern Nevada Water Authority (referred to
 10 in this subsection as the ‘Authority’), not subject to
 11 the payment of rents or other charges, the tem-
 12 porary and permanent pipeline, powerline, facility,
 13 and access road rights-of-way depicted on the map
 14 for the purposes of—

15 “(A) performing geotechnical investigations
 16 within the rights-of-way; and

17 “(B) constructing and operating water
 18 transmission and related facilities.

19 “(2) EXCAVATION AND DISPOSAL.—

20 “(A) IN GENERAL.—The Authority may,
 21 without consideration, excavate and use or dis-
 22 pose of sand, gravel, minerals, or other mate-
 23 rials necessary to fulfill the purpose of the
 24 rights-of-way granted under paragraph (1).

1 “(B) MEMORANDUM OF UNDER-
2 STANDING.—Not later than 30 days after the
3 date on which the rights-of-way are granted
4 under paragraph (1), the Secretary and the Au-
5 thority shall enter into a memorandum of un-
6 derstanding identifying Federal land on which
7 the Authority may dispose of materials under
8 subparagraph (A) to further the interests of the
9 Bureau of Land Management.”.

10 (c) PRESERVATION OF TRANSPORTATION, UTILITY
11 CORRIDORS, AND MANAGEMENT OF CONSERVATION
12 AREA.—Nothing in this Act (including an amendment
13 made by this Act)—

14 (1) includes in the expanded boundary of the
15 Conservation Area under the amendments made by
16 subsection (a) land within a designated utility trans-
17 mission corridor or a transmission line right-of-way
18 grant approved by the Secretary in a record of deci-
19 sion issued before the date of enactment of this Act;

20 (2) affects the existence, use, operation, mainte-
21 nance, repair, construction, reconfiguration, expan-
22 sion, inspection, renewal, reconstruction, alteration,
23 addition, relocation improvement funding, removal,
24 or replacement of any utility facility or appurtenant
25 right-of-way within an existing designated transpor-

1 tation and utility corridor within the expanded
2 boundary of the Conservation Area under the
3 amendments made by subsection (a);

4 (3) precludes the Secretary from authorizing
5 the establishment of a new utility facility right-of-
6 way within an existing designated transportation
7 and utility corridor within the expanded boundary of
8 the Conservation Area under the amendments made
9 by subsection (a)—

10 (A) in accordance with—

11 (i) the National Environmental Policy
12 Act of 1969 (42 U.S.C. 4321 et seq.); and

13 (ii) any other applicable law; and

14 (B) subject to such terms and conditions

15 as the Secretary determines to be appropriate;

16 (4) prohibits access to, or the repair or replace-
17 ment of, a transmission line within a right-of-way
18 within the expanded boundary of the Conservation
19 Area under the amendments made by subsection (a)
20 that was issued before the date of enactment of this
21 Act; or

22 (5) except as provided in the amendment made
23 by subsection (b), modifies the management of the
24 Conservation Area pursuant to section 605 of the

- 1 Sloan Canyon National Conservation Area Act (16
- 2 U.S.C. 460qqq-3).

