

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sloan Canyon Con-

5 servation and Lateral Pipeline Act.”

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CONSERVATION AREA.—The term “Con-

9 servation Area” means the Sloan Canyon National

10 Conservation Area.

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

4 **SEC. 3. SLOAN CANYON NATIONAL CONSERVATION AREA**
5 **BOUNDARY ADJUSTMENT.**

6 (a) BOUNDARY ADJUSTMENT.—

7 (1) MAP.—Section 603(4) of the Sloan Canyon
8 National Conservation Area Act (16 U.S.C. 460qqq-
9 1(4)) is amended by striking “map entitled ‘South-
10 ern Nevada Public Land Management Act’ and
11 dated October 1, 2002” and inserting “map entitled
12 ‘Proposed Sloan Canyon Expansion’ and dated June
13 7, 2023”.

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

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

21 “(h) HORIZON LATERAL PIPELINE RIGHT-OF-
22 WAY.—

23 “(1) IN GENERAL.—Notwithstanding sections
24 202 and 503 of the Federal Land Policy Manage-
25 ment Act of 1976 (43 U.S.C. 1712, 1763) and sub-

1 ject to valid existing rights and paragraph (3), the
2 Secretary of the Interior, acting through the Direc-
3 tor of the Bureau of Land Management (referred to
4 in this subsection as the ‘Secretary’), shall, not later
5 than 1 year after the date of enactment of this sub-
6 section, grant to the Southern Nevada Water Au-
7 thority (referred to in this subsection as the ‘Author-
8 ity’), not subject to the payment of rents or other
9 charges, the temporary and permanent water pipe-
10 line infrastructure, and outside the boundaries of the
11 Conservation Area, powerline, facility, and access
12 road rights-of-way depicted on the map for the pur-
13 poses of—

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

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

18 “(2) EXCAVATION AND DISPOSAL.—

19 “(A) IN GENERAL.—The Authority may,
20 without consideration, excavate and use or dis-
21 pose of sand, gravel, minerals, or other mate-
22 rials from the tunneling of the water pipeline
23 necessary to fulfill the purpose of the rights-of-
24 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 “(3) REQUIREMENTS.—A right-of-way issued
11 under this subsection shall be subject to the fol-
12 lowing requirements:

13 “(A) The Secretary may include reasonable
14 terms and conditions, consistent with section
15 505 of the Federal Land Policy and Manage-
16 ment Act of 1976 (43 U.S.C. 1765), as are nec-
17 essary to protect Conservation Area resources.

18 “(B) Construction of the water pipeline
19 shall not permanently adversely affect conserva-
20 tion area surface resources.

21 “(C) The right-of-way shall not be located
22 through or under any area designated as wilder-
23 ness.”.

24 (c) PRESERVATION OF TRANSMISSION AND UTILITY
25 CORRIDORS AND RIGHTS-OF-WAY.—The expansion of the

1 Conservation Area boundary under the amendment made
2 by subsection (a)—

3 (1) shall be subject to valid existing rights, in-
4 cluding land within a designated utility transmission
5 corridor or a transmission line right-of-way grant
6 approved by the Secretary in a record of decision
7 issued before the date of enactment of this Act;

8 (2) shall not preclude—

9 (A) any activity authorized in accordance
10 with a designated corridor or right-of-way re-
11 ferred to in paragraph (1), including the oper-
12 ation, maintenance, repair, or replacement of
13 any authorized utility facility within the cor-
14 ridor or right-of-way; or

15 (B) the Secretary from authorizing the es-
16 tablishment of a new utility facility right-of-way
17 within an existing designated transportation
18 and utility corridor referred to in paragraph (1)
19 in accordance with—

20 (i) the National Environmental Policy
21 Act of 1969 (42 U.S.C. 4321 et seq.) and
22 other applicable laws; and

23 (ii) subject to such terms and condi-
24 tions as the Secretary determines to be ap-
25 propriate; and

1 (3) except as provided in the amendment made
2 by subsection (b), modifies the management of the
3 Conservation Area pursuant to section 605 of the
4 Sloan Canyon National Conservation Area Act (16
5 U.S.C. 460qqq-3).