



RESOLUTION NUMBER 927

A RESOLUTION REGARDING THE CITY'S POSITION ON THE USE OF THE ANTIQUITIES ACT AND MORE PARTICULARLY ITS USE TO CREATE MONUMENTS IN NEVADA

WHEREAS, the United States Congress created the Antiquities Act in 1906 authorizing the President to identify and set aside areas of federal land for protection as *national monuments*; and

WHEREAS, since its passage, the Antiquities Act has been used to designate over 130 national monuments; and

WHEREAS, the President is not required to obtain Congressional approval or seek input from local stakeholders in order to designate a national monument; and

WHEREAS, the identification and recognition of wilderness areas, national parks and national conservation areas do require processes for taking input, mitigating potential impacts, identifying consequences and hearing stakeholders concerns; and

WHEREAS, the Act clearly states that the boundaries of any monument should be “confined to the smallest area compatible with proper care and management of the objects to be protected”; and

WHEREAS, Alaska and Wyoming have successfully passed legislation requiring Congressional approval for future designations in their respective states; and

WHEREAS, since 2015, President Obama designated two new national monuments in the region—Basin and Range National Monument and Gold Butte National Monument; and

WHEREAS, Nevada is the state with the highest percentage land within the state administered by the federal government—approximately 85%; and

WHEREAS, no funding source for further protection of the objects was identified as part of the proclamation; and

WHEREAS, the Virgin Valley Water District is the water purveyor for the City; and

WHEREAS, the District has six springs for which the District has historic water rights and which have historically been used to provide water to the residents of the Virgin Valley; and

WHEREAS, five of the six District springs are located within the boundaries of Gold Butte National Monument; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council of the City of Mesquite that the City supports a review by Interior Secretary Zinke of monument designations made under the Antiquities Act, namely the Gold Butte and Basin and Range National Monuments, for their compliance with the original intent of the Antiquities Act.

FURTHER, the City recognizes the need to protect and preserve certain areas. That said, these designations should truly be “confined to the smallest area compatible with proper care and management of the objects to be protected.”

FURTHER, the City supports Senator Heller and Representative Amodei’s legislation, the Nevada Land Sovereignty Act, (S.22 and H.R.243), which would prohibit the use of the Antiquities Act in Nevada without the express authorization of Congress; thereby, ensuring an inclusive public process with all interested and affected parties.

FURTHER, the City supports adding a requirement that any designation, presidential or congressional, include a sufficient funding source to carry out the intent of the designation.

FURTHER, the City supports Virgin Valley Water District’s efforts to amend the existing proclamation to either remove VVWD facilities from being located inside the Gold Butte National Monument or clarify the language within the proclamation to give VVWD unfettered access to their facilities and appurtenances; thus, ensuring that the residents of Mesquite and the whole Virgin Valley will have a reliable water source.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Mesquite, Nevada on June 27, 2017.

By: _____
Allan S. Litman, Mayor

Attest:

Approved as to form:

By: _____
Tracy Beck, City Clerk

By: _____
Robert Sweetin, City Attorney