



April 10, 2011

To: Chandler Peter, US Army Corps of Engineers; Will Tully, US Bureau of Reclamation; Jim Martin, US EPA

From: Save the Poudre: Poudre Waterkeeper

Regarding: Analysis needed in the NISP SDEIS, the WGFP FEIS, and the Moffat Collection System Project FEIS of impacts of the Northern Integrated Supply Project on the Upper Colorado River, including cumulative impacts

Dear Mr. Peter, Mr. Tully, and Director Martin,

As described in its DEIS, the Northern Integrated Supply Project (NISP) proposes to use water from the Colorado River for the “Initial Fill”ⁱ and ongoing “Operational Flexibility”ⁱⁱ for Glade and Galeton Reservoirs. The amount of Colorado River water used could be quite substantial – the proposed initial fill of Glade is 100,000 acre-feet; the proposed initial fill of Galeton is 15,000 acre-feet. The hydrological modeling report in the NISP DEIS did not include an analysis of how the project could operate in dry years with limited water availability from Front Range water supplies without using Colorado River water.ⁱⁱⁱ Additionally, the spokesperson for Northern Water agrees that NISP will use Colorado River water during dry years.^{iv} Thus it is clear that Colorado River water can, and likely will be, used as water supplies for NISP.

However, the NISP DEIS, the Windy Gap Firming Project (WGFP) DEIS, and the Moffat Collection System Project (MCSP) DEIS all completely failed to address any environmental or economic impacts on the Upper Colorado River of NISP’s proposed use of Colorado River water. If built, all three projects would be diverting Colorado River water in nearly the same geographic area and thus would have impacts on the same stretches of the Upper Colorado River. This failure to address impacts to the Colorado River is a serious flaw in the DEIS for all three projects.

The National Environmental Policy Act requires that all environmental and economic impacts be analyzed as a part of the Environmental Impact Statement process. In addition, the Clean Water Act requires that a full analysis be completed so that federal regulators can choose the “Least Environmentally Damaging Practicable Alternative” in the EIS process. The impacts to the Upper Colorado River from NISP, and the cumulative impacts to the Upper Colorado River from NISP, WGFP, and MCSP, must be thoroughly addressed in the SDEIS for NISP as well as in the FEIS’ for WGFP and MCSP.

Thank you for the opportunity to provide input and make requests of your offices regarding the environmental and economic impacts all of the proposed water projects that will impact our region. Your organizations and ours mandate objective, scientifically valid information to thoroughly comply with the letter and spirit of existing national and state laws. Please acknowledge receipt of this letter.

Respectfully,

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ⁱ NISP DEIS Section 2.4.1.3 states: The EIS evaluations of Glade Reservoir are based on a planned initial fill volume of approximately 100,000 AF at the time of project start-up. However, the anticipated sequence of NISP construction is to build the Glade Reservoir complex followed by the SPWCP. Until the SPWCP is online, Glade Reservoir will be wholly dependent on the Grey Mountain water right. This water right has the capability of yielding water in about 4 out of 10 years. Modeling indicates that there can be several years in a row of divertible flow followed by as many as 8 years with no flow available. Therefore, it is possible that divertible flows from the Poudre River may not be available under the Grey Mountain water right to fill Glade Reservoir at the start of NISP. The Participants could choose to wait to fill Glade Reservoir until divertible flows became available under the Grey Mountain water right or find other interim sources of water to fill Glade Reservoir. At the time of project start-up, NISP Participants will need approximately 10,000 to 15,000 AF of yield. If water is not available from the Grey Mountain water right, then other water sources could be considered by NISP Participants as interim supplies. It is assumed that these sources would already be decreed for municipal use or have an approved substitute water supply plan, thereby eliminating the temporary transfer of native agricultural water rights. The following sources would likely serve as an alternate source of supply if water was not available from the Grey Mountain water right at project start-up (NCWCD 2007):

- C-BT units—C-BT units could be rented by NISP Participants. There is presently a very active rental market of C-BT water, generally from municipal to agricultural use. NISP Participants could either collectively or separately rent C-BT water. If the rented C-BT water is greater than the Participant's need in that year, the water could be delivered into Glade Reservoir. The water would be delivered to the Project from Horsetooth Reservoir through the Windsor Extension into the Poudre Valley Canal.
- Windy Gap—Windy Gap water could be rented by NISP Participants. NISP Participants can either collectively or separately rent Windy Gap water from Windy Gap Participants. If the rented Windy Gap water is greater than the Participant's need in that year, the water could be delivered into Glade Reservoir. The water would be delivered to the Project from Horsetooth Reservoir through the Windsor Extension into the Poudre Valley Canal.
- Grand River Ditch—The Grand River Ditch diverts water from the Colorado River drainage for the use by Water Supply and Storage Company (WSSC). These diversions average approximately 18,000 AF per year. WSSC serves an area roughly parallel to State Highway 14 from northeast of Fort Collins to several miles past the Town of Ault via the Larimer County Ditch. Because the water is transmountain, no return flow obligations are necessary and the water can be rented directly from WSSC shareholders. The water is presently diverted at the Larimer County Canal headgate above Laporte, and would be diverted for the Project at the Poudre Valley Canal.

ⁱⁱ Section 2.4.1 "Operational Flexibility" states: "The ability to enter into dry-year leasing or interruptible supply contracts with agricultural irrigation users to meet project water needs when drought conditions are worse than those evaluated by the NISP hydrology model."

ⁱⁱⁱ The hydrological modeling report states: "Uses an acceptable simulation period, 1950-2001, which HDR recommends be reduced to 1950-1999 to eliminate the undesirable circumstance of ending the simulation period in the middle of a dry period." The drought period of 2000 – 2008 was not analyzed in the NISP DEIS.

^{iv} *Denver Post*, 8/4/2010: <http://savethepoudre.org/news-articles/western-slope-advocacy-group-endorses-controversial-reservoir-plan-denver-post-2010-08-04.pdf>