

COLORADO RIVER HEADWATERS CHAPTER OF TROUT UNLIMITED

With your input at Environmental Impact Statement (EIS) meetings, the public comment period for the Moffat Expansion Project has been extended to March 1, 2010. We now have the time to write the necessary letters to let your opinion be known. The best letter is a personal letter, expressing your own thoughts in your own words. The following are comment points which can be adapted for inclusion in your letter.

The Need to Conserve

- *Water conservation is a world problem. A 2008 McKinsey report estimates that by 2030 the globe will have 40% less water than it needs if we don't change current consumption patterns.
- *Currently 62% of the single family water use in Denver is for watering outdoor lawns.
- *Conservation, not acquisition is the key to solving Denver's future problems.
- *The Clean Water Act requires the Army Corps of Engineers to approve only the least environmentally damaging alternative. The Moffat project is not the least environmentally damaging alternative unless Denver Water adopts meaningful outdoor water conservation measures prior to risking endangering the Fraser River ecosystem.

Grand County and the Fraser River System

- *It is imperative that the Fraser River, Williams Fork and Colorado River systems be maintained by including the Grand County Stream Flow Management Plan as an integral part of the Army Corps of Engineers Permit.
- *The combined effect of both the Denver Water and Northern Water District is totally ignored by the EIS, yet the combined impact of these two actions will mean that only 26% of the native flows will remain in the Upper Colorado River.
- *To avoid permanent damage to the Fraser River System, the Permit should contain and guarantee adequate year around base line stream flows in the Fraser, Colorado and Williams Fork rivers and guarantee adequate flushing and channel maintenance flows necessary for maintaining the rivers' ecosystems.
- *The Permit should also prohibit diversions when stream temperatures threaten to exceed State standards protective of aquatic life.
- *The Army Corps of Engineers should require, as part of the EIS, that the gauges monitoring the bypass flows are placed directly below Denver Water's diversion points to ensure accurate measurement of bypass flows.

Impact to Grand Lake

- *The draft EIS does not acknowledge that the dewatered Fraser River will be pumped by the Northern Water Conservancy District through Grand Lake, carrying a significantly higher concentration of run-off nutrients, increasing algae counts, diminishing water clarity, and endangering the viability of this valuable eco-tourism hub.

What We Owe to Future Generations

- *To protect future generations the EIS must have a "reopening clause" that allows the permit process to be reopened if predetermined biological damage occurs or if temperatures that threaten aquatic life are reached.
- *To protect future generations, the EIS needs to include funding and a process for independent monitoring of water quality and impacts on aquatic life.

Army Corps of Engineers

*These are the regulators, and your primary letter should go to this address. Other agencies and politicians will also weigh in. Please either send copies of your letter or separate letters to those entities. The Corps needs to be reminded that its main responsibility is neither to Grand County nor to Denver Water, but to the environment and to future generations so that if the Fraser River System should fail it will not be said that the reason for the failure was the indifference of the Corps. We understand that Denver Water owns certain junior water rights, but water rights only give the owner a place in the priority line. They do not give Denver Water the right to develop this project. Owning a house does not imply the right to burn down the neighborhood.

Letters to the Army Corps of Engineers

Address your letters to: Scott Franklin, Moffat EIS Project Manager
Corps Denver Regulatory Office
9307 S. Wadsworth Blvd.
Littleton, CO 80128
email: Moffat.eis@usace.army.mil
FAX: (303) 979-0602

Colorado Division of Wildlife

*Colorado's Revised Statutes Title 37 Water and Irrigation, Article 60 Colorado Water Conservation Board:

"The General Assembly hereby recognizes the responsibility of the state for fish and wildlife found in and around state waters which are affected by the construction, operation or maintenance of water diversion delivery or storage systems."

*the DOW will be making its own recommendations to the Army Corps of Engineers.

*Write the DOW - remind them of their responsibility to maintain our wildlife resources. Tell them of your personal experience with the negative impact the current diversion is having and what you believe will be the impacts from future diversion. Tell them what you think needs to be done to keep our streams alive.

Colorado Division of Wildlife
Attn: Wildlife Commission
6060 Broadway
Denver, CO 80216
email: wildlife.comm@state.co.us
website: www.wildlife.state.co.us/WildlifeCommission/

Environmental Protection Agency

*Because this issue may eventually be reviewed and determined by this agency, let's help our cause by sending copies of our letters to the EPA, calling attention to this point:

**Denver has not implemented conservation actions to avoid further damage to wetlands in Grand County. According to the EPA Wetlands Regulatory Authority, "When you apply for a (section 404) permit, you must show that you have, to the extent practicable, taken steps to avoid wetlands impacts."*

Environmental Protection Agency
Larry Svoboda, Director; NEPA Compliance and Review Program
U.S. EPA, Region V111
1595 Wynkoop Street
Denver, Co. 80134

Politicians

These people need to hear from you! They need your vote to get re-elected. Let them know how you feel!

U.S. Senator Mark Udall
Hart Office Building
Suite SH-317
Washington, D.C. 20510
www.markudall.senate.gov/contact

U.S. Senator Michael Bennet
702 Hart Senate Office Building
Washington, D.C. 20510
www.bennet.senate.gov/contact

Secretary Ken Salazar
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Governor Bill Ritter
136 State Capitol
Denver, Co. 80203-1792

U.S. Jared Polis
501 Cannon HOB
Washington, D.C. 20515
www.polis.house.gov/contact

Mayor John Hickenlooper
www.denvergov.org

Your Letters Are Grand County's Voice

1. Comments should be clear and concise. You are creating a record.
2. Focus on the assessment of impacts.
3. State: a) problems, b) incompleteness or errors of interpretation within the EIS, c) reasons for believing an error exists.
4. Personal observations.
5. Alternative ideas.
6. Comments about Moffat Collection DEIS are due by March 1, 2010.

Please, write your letter today! Follow-up letters are also important. You can either re-emphasize your previous message or focus on additional points.