



7. WATER: Front Range pipeline plan could be scaled back (09/24/2009)

Eryn Gable, special to E&E

Colorado entrepreneur Aaron Million remains committed to his controversial proposal to pipe water more than 500 miles from southwest Wyoming to the Front Range of Colorado, although even he acknowledges the plan may have to be scaled back to ensure there is enough water in the Green River Basin to meet the needs of other interests such as recreation and endangered species.

The Bureau of Reclamation is currently updating its analysis of the proposed plan to include a more thorough examination of how much water will be available in the system in the future. One key aspect of that analysis that did not figure into the bureau's initial analysis is expected to be climate change.

Jeff Fassett, a former Wyoming state engineer who has acted as a consultant on Million's project, said there is concern that less water may be available in the Green River in the future as a result of climate change. That could make less water available for Million's proposal, Fassett said.

"[Million] doesn't want to be in a situation of anticipating a set of flows that won't be there because of these natural changes," Fassett said.

Reclamation is expected to release its updated analysis later this year or early next year.

The pipeline is expected to cost between \$2 billion to \$6 billion and could start delivering water to Colorado in five years, according to the Million Group. But before construction can begin, the project must obtain a Clean Water Act permit, triggering a broad federal analysis under the National Environmental Policy Act.

Million's proposal has met stiff opposition from communities throughout southwest Wyoming that contend the project would have no real benefit for the state but would hamper local industry and tourism efforts, curtailing future growth in the area and potentially damaging an important fishery.

Wyoming Gov. Dave Freudenthal (D) has also expressed concerns about how the proposal could affect Wyoming's future water development, the area's wildlife, endangered species and the recreation economy in the Green River Basin ([Land Letter](#), July 30).



The Green River in Wyoming. Courtesy of USGS.

Questions have also been raised about whether there is enough water in the Green River Basin to support the project.

A preliminary analysis released by Reclamation in 2007 found that 165,000 acre-feet of water could be diverted annually from Flaming Gorge Reservoir to Colorado from 2008 through 2049 without hampering hydropower production or harming endangered fish.

The analysis also considered a scenario in which the pipeline diversions were phased in until 2035 and 30,000 acre-feet of water annually was delivered via the pipeline for users in Wyoming. Under that scenario, the bureau found that 185,000 acre-feet of water would be available annually until 2050 and 120,000 acre-feet could be diverted annually from 2050 to 2077.

While those figures might seem to make Million's proposal to divert 250,000 acre-feet annually untenable, Million said there are several assumptions built into the bureau's estimate that make it conservative.

For example, the 165,000 acre-feet figure assumes that 267,000 acre-feet set aside for Wyoming's use is off-limits to Million's pipeline. But Million's proposal includes 25,000 acre-feet for water users in Wyoming that could be counted against the 267,000 acre-feet reserved for Wyoming.

Additionally, both models assume that 75,000 acre-feet of unallocated water in Colorado won't be available for the project. But Million could have access to some or all of that water if his project is more senior to other diversion projects.

Indeed, Malcolm Wilson, chief of the water resources group for Reclamation in Salt Lake City, said to get to the 250,000 acre-foot number, Million would have to get water from the states' allocations. "That's what we assume is the difference between his numbers and ours."

Even if the bureau determines that less water is available for Million's project in Flaming Gorge Reservoir than the 250,000 acre-foot proposal, additional water could also be diverted from the Green River and delivered via the pipeline to water users in southeastern Wyoming. That water would not count against whatever water Million is able to divert from Flaming Gorge Reservoir.

Million is relying on water available under the Colorado River compacts, which allocate an average of 7.5 million acre-feet per year to the four upper basin states -- Colorado, New Mexico, Utah and Wyoming. The Green River loops into Colorado as it flows from Wyoming to Utah and is a tributary of the Colorado River, making it available to Colorado.

The water carried by the project would be counted against the state's legal use of the Colorado River under the river compacts of 1922 and 1948. If the river is overdeveloped, water users with post-1922 water rights would be curtailed to ensure enough water flows to downstream states.

A little tweaking?

Disagreement exists about how much water is unallocated in the Colorado River; estimates range from 400,000 to 600,000 acre-feet. Colorado regulators are conducting a study to determine how much water can be safely developed under the Colorado River compacts without an unreasonable risk of tripping a compact curtailment order.

For his part, Million said the project would use available surpluses in the system to meet water needs along the Front Range.

"If those surpluses are not proved out via the EIS and NEPA process, then the project won't and should not go forward," Million said. "I will be the first to stick a fork in it."

Million said his 250,000 acre-foot proposal was designed to allow some flexibility in managing the watershed, but he now has concerns about possible adverse impacts to the river from such a diversion. "We're evaluating whether to scale down the size of the project to 140,000 to 170,000 acre-feet," he said.

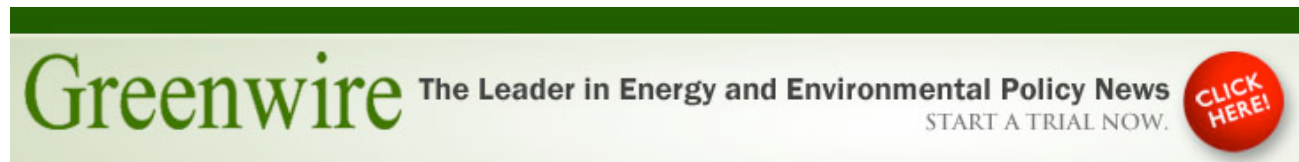
He stressed that his goal is to develop a project that is sensitive to the needs of local communities in Wyoming, protects the environment and addresses water needs in the Front Range without injuring Colorado's agricultural base in the Eastern Plains. That may seem like a tall order, but Million said his pipeline proposal can address all those issues. It just might have to be tweaked a little bit.

"We want to do a reasonable size project that doesn't injure the river system and meets the needs of boaters, recreationists, the Gold Medal fishery and endangered species," Million said. "We don't need to maximize the project size."

But the final determination about the project's size and scope rests with the Army Corps of Engineers, which is leading the environmental review process for the project. The corps expects to release a draft environmental impact statement in 2012 and a record of decision in 2014.

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