



Douglas County Commissioner's Office
Commissioner Abe Laydon
Commissioner George Teal
Commissioner Lora Thomas
100 3rd Street
Castle Rock, CO 80104

January 25, 2022

RE: Opposition to Renewable Water Resources Export Proposal

Dear Douglas County Commissioners,

On behalf of the undersigned organizations, we write to urge you not to move forward with Renewable Water Resources' (RWR) request to utilize American Rescue Plan Act (ARPA) stimulus funds to export water from the northern San Luis Valley (SLV). The RWR proposal would significantly impact the economy, environment, and culture of the San Luis Valley, a unique region home to Great Sand Dunes National Park and Preserve and three national wildlife refuges, which collectively attract more than 600,000 visitors annually to the SLV. The SLV cities, farmers, and residents universally oppose the RWR proposal. The project would result in the "buy and dry" of agriculture, which has led to the devastation of other rural communities in Colorado.

Collectively, our organizations represent thousands of hunters and anglers in Colorado. Healthy wildlife habitats are necessary to sustain wildlife populations, and wetlands, riparian corridors, and mesic areas are critical in our arid state. The proposed RWR project would impact fish and wildlife habitats on multiple fronts. Groundwater and surface water resources in the SLV are connected, with aquifers sustaining streamflow, which supports habitat for cold-water fisheries. Therefore, removing water from the aquifers could negatively affect aquatic ecosystems important to the region. For example, the proposed wellfields of 22 to 25 groundwater pumping wells for the RWR project would neighbor the Baca National Wildlife Refuge, potentially impacting the wetland and aquatic ecosystems that support breeding and feeding grounds of migratory birds and waterfowl. Baca is also home to the state's most viable population of Rio Grande Chub, a state species of concern. Other potentially affected species include the Rio Grande Cutthroat Trout and Gunnison Sage Grouse. The RWR proposal would also require the dry-up of 20,000 irrigated acres in the valley. Impacts to irrigated agriculture in the SLV resulting from the RWR project would also negatively affect fish and wildlife since

most of the SLV's wetlands occur on private property and are sustained through irrigation and water delivery. Overall, the RWR proposal puts the SLV's fish and wildlife at risk.

The RWR plan runs contrary to the Colorado Water Plan. The Colorado Water Plan, which guides state water planning and policy, states that the development of water rights associated with transbasin projects is a concern and must consider the effect on in-basin supplies. The Colorado Water Plan establishes a conceptual framework for guiding negotiations around new transbasin diversion projects, including developing adequate measures to reduce socio-economic and environmental impacts on the basin of origin, which the RWR fails to accomplish meaningfully. The Colorado Water Plan also strongly condemns the practice of "buy and dry," which has led to significant socio-economic and environmental impacts in rural communities and instead supports alternative approaches such as investments in conservation and smart land-use planning.

The RWR proposal is also ineligible for federal stimulus funds considering the recently released final rule governing the use of Coronavirus State and Local Fiscal Recovery Funds (SLFRF). The SLFRF rules permit these funds for drinking water projects to support population growth. However, the SLFRF also states that the proposal must be "cost-effective" and consider available alternatives. The rule also states that the proposed water source must be "sustainable over its estimated useful life." The RWR proposal fails on both counts. First, the RWR exportation projects face significant hurdles in breaking ground or delivering water to Douglas County. The project is estimated to cost nearly \$2 billion to pay for the water, federal and state permitting, water court, land acquisition, and infrastructure costs. Many of these costs would fall on water ratepayers in Douglas County. Like other recent battles over proposed water developments in Colorado, protracted litigation will more than likely add to these costs and further delay the project.

Meanwhile, more cost-effective strategies exist, including investments in water conservation and water recycling/reuse. Second, there is no surplus water in the SLV to export. The SLV aquifers are over-appropriated and climatic trends point to less available water. Therefore, the RWR proposal presents a likely expensive, unpopular, and risky approach to meeting the growing water needs of Douglas County.

Our organizations recognize that Douglas County is growing and reliant on an unsustainable groundwater resource. We encourage that Douglas County utilizes SLFRF to make needed investments to address water supply needs in a more viable water portfolio that prioritizes local water supplies, promotes conservation, and creates jobs for the community rather than siphoning these funds to a speculative and costly water export proposal that will have significant impacts on rural Coloradans and the unique environment of the San Luis Valley.

Sincerely,

Theodore Roosevelt Conservation Partnership

Trout Unlimited

National Wild Turkey Federation

Colorado Backcountry Hunters and Anglers

Colorado Wildlife Federation