



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

January 28, 2022

RE: Opposition to Renewable Water Resources Export Proposal

Dear Douglas County Commissioners,

On behalf of the undersigned organizations, we write to urge you to oppose the 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 have a significant impact on the economy, environment, and culture of the San Luis Valley, a unique region that is home to Great Sand Dunes National Park and Preserve and three national wildlife refuges. The SLV's cities, farmers, and residents universally oppose the RWR proposal, and the project would unnecessarily adversely impact local agriculture, which has led to the devastation of other rural communities in Colorado.

Collectively, our organizations represent thousands of members in Colorado who support land and water conservation and local communities. The proposed RWR project would impact fish and wildlife habitat on multiple fronts. Groundwater and surface water resources in the SLV are connected, with aquifers sustaining streamflow, which in turn support habitat for cold-water fisheries and outdoor recreation opportunities. Therefore, removing water from the aquifers could negatively affect aquatic ecosystems important to the region. For example, one of the proposed pumps for the RWR project would be placed near the Baca National Wildlife Refuge, potentially impacting the wetland and aquatic ecosystems that support breeding and feeding grounds of migratory birds and several threatened and endangered species. 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. Pumping could also potentially impact the unique hydrology of Great Sand Dunes National Park, which attracts more than 600,000 annual visitors to the region's unique landscape and waters. Overall, the RWR proposal puts the SLV's unique environment at risk.

The RWR proposal would also impact the local community and a significant economic driver of the region – agriculture. The proposal requires the dry up of 40,000 irrigated acres in the valley, which would not only hurt local farmers and ranchers but also the businesses that depend on them. Agriculture plays a vital economic role in the Valley, but it's also intertwined in culture, and about people's connection to the land. Impacts to irrigated agriculture in the SLV resulting from the RWR

project would also negatively affect fish and wildlife. The majority of the SLV's wetlands occur on private property and are sustained through irrigation and water delivery.

The RWR proposal is also out of line with the Colorado Water Plan. The Colorado Water Plan, which guides state water planning and policy, states that the development of water rights associated with trans-basin projects is a concern and must consider the effect on in-basin supplies. Additionally, the Colorado Water Plan establishes a conceptual framework for guiding negotiations around new trans-basin diversion projects. This includes developing adequate measures to reduce socio-economic and environmental impacts on the basin of origin, which the RWR fails to meaningfully accomplish. The Colorado Water Plan also strongly supports agricultural communities and minimizing the practice of converting significant volumes of agricultural water to municipal purposes, which in the past has led to significant socio-economic and environmental impacts in rural communities. The Water Plan instead supports alternative approaches to meeting increasing municipal demands such as investments in conservation, reuse, and smart land-use planning.

The RWR proposal also seems ineligible for stimulus fund support considering the recently released [final rule](#) governing the use of Coronavirus State and Local Fiscal Recovery Funds (SLFRF). The SLFRF rules do permit the use of 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 fails on both counts. First, the RWR faces significant hurdles in ever breaking ground or delivering water to Douglas County. The project will cost more than \$1 billion to pay for the water, federal and state permitting, water court, land acquisition and infrastructure expenses. 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 do exist, including investments in water conservation and efficiency and reuse. Finally, there is no renewable water in the SLV to export. The SLV aquifers are over-appropriated and climatic trends point to less water being available. 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 Douglas County to utilize SLFRF to make investments to address water supply needs in a more viable water portfolio that prioritizes local water supplies, encourages conservation and reuse, 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

American Rivers

Western Resources Advocates

The Nature Conservancy

Audubon Rockies

Environmental Defense Fund