



WATER QUALITY / QUANTITY COMMITTEE (QQ)

P.O. Box 2308 • Silverthorne, Colorado 80498
970-468-0295 • Fax 970-468-1208 • email: qqwater@nwccog.org

Comments from NWCCOG/ QQ SB 14-115 Legislative Hearing on the Colorado Water Plan: Colorado Basin August 21, 2014

The Water Quality and Quantity Committee (QQ) comprises municipalities, counties, water and sanitation districts, and conservancy districts in the headwaters region of Colorado located in Grand, Summit, Eagle, Pitkin, Park and Gunnison counties. QQ's purpose is to facilitate and augment the efforts of member jurisdictions to protect and enhance the region's water quality while encouraging its responsible use for the good of Colorado citizens and the environment.

In the QQ region, 16 transmountain diversions (TMDs) collectively divert an average of 511,700 acre-feet of water to the East Slope (with thousands more acre-feet to be diverted through already-planned projects). Many existing TMDs were developed without appropriate mitigation. The environmental damage is still being addressed today.

On the other hand, QQ members have successfully negotiated agreements with Front Range water providers that protect and benefit West Slope water resources while honoring the needs of the water supplier—including Eagle River MOU, the negotiated agreement and 1041 permit for Windy Gap Firming Project, the CRCA, Wolford Reservoir joint operations, and proposed mitigation for Moffat expansion.

We offer the following comments on the Colorado Water Plan based on these experiences:

1. We have learned that **successful agreements for new or expanded TMDs must:**
 - a) Take into account concerns where the project would be located and where water would come from.
 - b) Require approval from the impacted counties, conservancy districts and conservation districts in the area from which water would be diverted.
 - c) Yield multiple benefits above and beyond the narrow purposes for which the project is built (even if they are "multi-purpose")—making streams and rivers healthier to the maximum extent possible.
2. The Water Plan also will examine ways to make the permitting process for new water projects more efficient. This is important across the state, and we think that dusting off the **joint review process** as it was proposed in the 1970s is something that the Water Resource Review Committee could support. A joint review process offers three benefits:
 - a) Local affected interests are at the table from the beginning, before NEPA begins, and can express local concerns as well as mitigation concepts at the earliest possible time;
 - b) The NEPA process is less onerous with joint review because the reports and studies can focus on the real concerns instead of hypothetical concerns; and
 - c) Agencies with regulatory authority will be discussing their concerns and can avoid imposing duplicative requirements on the applicant.

These goals can be facilitated if the regulatory entities are consulting agencies once NEPA begins.

3. Some comments on the Water Plan call for the state to consider funding or filing for water rights for a future new TMD. This is not the proper role for the State and should not be part of the Colorado Water Plan. **The State should not assume a role as a proponent of a water project until the State regulatory process has been completed and the project has been agreed to by the impacted counties, conservancy districts and conservation districts in the area from which water would be diverted.**

Visit NWCCOG-QQ.org for more information on QQ and the CO Water Plan.