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ERWC advocates for the health and conservation of the Upper Colorado and Eagle River basins through research, education, and projects.

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Comments from Eagle River Watershed Council for the Joint Interim Water Resource Review Committee

Re: SB 14-115 legislative hearing for the Colorado Water Plan.
 Glenwood Springs, CO.

August 21, 2014.

Eagle River Watershed Council (ERWC) works for the health and conservation of the Eagle River, its tributaries, and the Colorado River in Eagle County. The mission of ERWC is to advocate through research, education, and projects to protect and enhance the high-quality natural, scenic, and economic values that our rivers and streams provide to the citizens, visitors, and wildlife of Eagle County. We work with area partners under the unifying guidance of the Eagle River Watershed Plan to ensure our river systems will continue to sustain all of the social, economic, and environmental values provided to us today for many generations to come.

Please accept the following comments on the CWP from our board and staff:

1) We wish to express our support for the West Slope Principles offered by the Northwest Colorado Council of Governments. The values and principles capture the concerns of our communities extremely well. Although we do not have the large agricultural base shared by our neighboring counties, we stand firm with them and believe that any TMDs justified to avoid agriculture buy-and-dry on the east slope must not cannibalize west slope agriculture (and culture). Principle No. 2 also hits particularly close to home for Eagle County residents, with our recreation and natural amenity-driven economy, stating *“the CWP should protect and not threaten the economic, environmental, and social well-being of the west slope”*. West slope agriculture keeps families on the land, keeps communities in business, keeps food local, and indirectly, helps keeps Eagle County’s rivers flowing. We support it for all of these reasons.

2) Our rivers underpin the social and economic fabric of our communities. Although Colorado progressively implemented some of the first instream flow protection laws in the west in 1973, those policies are now over 4 decades old. Our scientific understanding of the processes and factors that keep rivers healthy, functioning, and able to sustain both human and natural values has grown immensely in that time. Based on this deeper understanding, we are now beginning to create more appropriate policy tools to identify, quantify, and protect non-consumptive water needs in our streams. Examples include river management agreements that recognize flushing flows, channel maintenance flows, temperature monitoring, and reservoir ramping rates. We feel that organized Stream Management Planning efforts, following the example set by Grand County this year, can be a vital component of a legitimate and usable non-consumptive needs assessment. However, additional time is needed to develop and implement these efforts before they can be usefully brought into the CWP process.

3) If we Coloradans truly place the value on healthy environments and flowing rivers that we claim, any TMD should be the choice of last resort after fully exhausting in-basin supply options and maximizing available water through active conservation strategies and re-use technologies. The hydrological risk imposed by any new TMDs should be fully assumed by the project and not by downstream users.

ERWC advocates for the health and conservation of the Upper Colorado and Eagle River basins through research, education, and projects.

4) We share the River District's concern with issues in the way SWSI calculates "The Gap", which provides much of the technical justification for new storage and TMD projects. These issues are highlighted in Mr. Currier's "SWSI 2010 Reality Check" memorandum, the Western Resource Advocates' report "Filling the Gap", and the Northwest Colorado Council of Government's "Response to Perceptions influencing the Colorado Water Plan". SWSI, with its potential flaws, continues to drive public beliefs that the Colorado Basin is the only viable option to meet future water needs for much of the state. Such beliefs, when repeated often and loudly enough in public forums, begin to assume the mantle of true facts, despite evidence to the contrary. We hope the next iteration of SWSI in 2016 will recognize and incorporate all relevant new information for water planning.

5) We urge you to continue development and support of new legislation that allows for locally creative experimentation in water conservation and supply sharing without penalization under prior appropriations. Examples from recent legislative agendas include 2013's SB 75 (protection for conservation by municipalities and districts), SB 19 (ag. conservation protections), SB 1248 (fallowing-leasing), and HB 1026 (flex markets), SB 35 (ag. efficiency), and this year's SB 23 (ag. conservation for instream flows). No single one of these measures is a total solution, and many first rounds were flawed or met with great opposition. But in aggregate, they represent the democratic attempts of communities and basins around the state to find new and innovative solutions to the pressing problem at hand. If we hope for locally-driven, grassroots efforts to forge solutions to our water problems, we need to provide the necessary policy space and time for new ideas to take hold and thrive.

Thank you for the opportunity to provide continued input to the CWP. For any additional information regarding ERWC, clarification of comments included here, or other reason, please contact us at your convenience.

Holly Loff
Executive Director
Eagle River Watershed Council