

RWSP water pipeline progressing

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Less than a week ago the Green River at Warren Bridge and the Colorado River near Kremmling, Colo., were flowing at nearly identical volumes of 3,100 cubic feet per second (cfs).

That doesn't sound remarkable until you compare the watersheds. The Colorado near Kremmling – elevation 7,320 feet – drains 2,382 square miles, while the Green at Warren Bridge – elevation 7,468 feet – drains 468 square miles.

Why was the Green's volume the same as the Colorado with one-fifth of the watershed? One answer is "development."

Colorado has aggressively developed its water resources in the face of its large and growing population. Upstream of the Kremmling water gauge, there are no fewer than seven dams. Upstream of the Warren Bridge, the number of dams is zero.

Now Colorado has its eyes set on a new development that would transport water from the Green River to cities in southeast Wyoming and Colorado's Front Range.

That project is the subject of a scoping meeting tonight in Rock Springs*.

RWSP

The Regional Watershed Supply Project (RWSP) is a \$3-billion, privately-funded enterprise proposed by Colorado developer Aaron Million to draw Green River water from two points: Flaming Gorge Reservoir and below the Seedskaadee National Wildlife Refuge on the Green River.

Million has filed for a permit from the Army Corp of Engineers to transport the water through a 560-mile pipeline east along Interstate 80 to a point near Laramie and then south as far as Pueblo, Colo., using existing and yet-to-be-built reservoirs.

Not surprisingly, the proposal is intensely controversial. During a RWSP scoping meeting in April, a throng of 300 southwest Wyoming citizens voiced their opposition. Gov. Dave Freudenthal has chimed in as well. "I personally don't like the project," he said in a press conference. "I think I have to be fair and hear it out, but I've never liked trans-basin diversion."

Trans-basin diversion

In Colorado and southern Wyoming the east side of the continental divide drains rainwater and snowmelt toward the Atlantic Ocean via the Mississippi River. On the west side, water drains toward the Pacific Ocean via the Colorado River.

Hydrologically, Colorado has developed in reverse. While the bulk of the state's 5 million people live on the east side of the divide, the majority of the states water – in the form of snowfall – collects on the west side.

To remedy this problem, Colorado transports west-slope water to the east slope through massive pipes deep beneath the Rocky Mountains.

Legally, Colorado diverts the water under two agreements. The first is the Colorado River Compact of 1922 that divides the 1,450-mile-long river into upper and lower basins with each being allocated 7.5 million acre-feet (af) of water. The second is the Upper Basin Compact of 1948 that gives Wyoming a 14-percent share and Colorado a 51.75-percent share of the Upper Basin's allocation.

Using the Upper Basin document, Colorado has developed its west-slope water for east-slope municipalities, industries and agriculture.

But those trans-basin diversions have fueled potent battles between eastern and western water users. And the last major battle was won by the west.

In 1989, the Denver Water Board was poised to build a large-scale dam/trans-basin project on the South Platte River, named Two Forks. It would have added a third trans-basin diversion from the Upper Colorado River to the Denver Metro Area.

After completing a \$25-million Environmental Impact Statement, the Army Corps of Engineers needed a single signature from EPA Director William K. Reilly to proceed.

But the project was opposed by a powerful well-organized coalition of western water users, fly fishermen and environmental groups.

Ultimately, western water interests claimed victory when Director Reilly, a President George H. W. Bush appointee, vetoed the dam.

Nineteen years later, RWSP is poised to pick up where Two Forks left off – although the cast of characters has changed.

Wyoming divided

In a house editorial by the Denver Post, the newspaper concluded RWSP was “an innovative notion that might bring a cease-fire in our water wars.”

In other words, under the RWSP Colorado's east slope can develop west-slope water without rankling western water users.

For Colorado, that's due to some fortuitous geography.

The Green River starts deep in Wyoming's Wind River Mountains before meandering 180 miles south and entering Utah at Flaming Gorge Reservoir. Below the Flaming Gorge dam, the river takes a left turn and loops through Colorado for 41 miles.

Because the Green eventually flows into the Colorado River, the state of Colorado has a right to its water no matter how briefly the two coalesce.

And because the Green's sojourn into Colorado takes it through the remote regions of Browns Park and Dinosaur National Monument, few western Colorado water users are directly affected by a diversion. As western Colorado resistance has cooled, RWSP is garnering support in parts of eastern Wyoming. That's because RWSP promises the City of Laramie 25,000 af of water.

That's not the state's only internal division over the project.

Gov. Freudenthal's brother Steve Freudenthal, a Cheyenne lawyer, is helping develop the RWSP.

The prospect of being isolated between pro-RWSP Wyoming communities and impassive western Colorado water users has Sweetwater County Commissioner Paula Wonnacott concerned. She worries that the state's voice will fracture over 25,000 af of water.

"They may see it as a boon for them," she said. "But at the same time in southwest Wyoming where we have industry and create tax revenue for the state, we want to make sure that we have access to our water resources and we don't want to do something to hinder those opportunities in the future."

Accordingly, officials from Sweetwater County, Green River and Rock Springs are building a coalition against RWSP and opening dialog with the rest of the state.

"I would really hate to not be able to engage the other elected groups in the eastern part of the state," Wonnacott said. "We want to make sure we're working with one voice."

Quantify

Because the Colorado River drains the driest quarter of the country, water users claim every gallon of it from the Wyoming Range to the Mexico border.

Unfortunately, the quantity of water paper is greater than the quantity of water molecules.

And according to Randy Bolgiano of Boulder, until the upper basin is accurately quantified, any plans to build the RWSP are premature.

"It's a good opportunity to cajole the states into a good solid accurate accounting," he said. "And we have to get a handle on the quantities before we can seriously discuss a project like this."

Bolgiano, speaking as a "simple irrigator," said until both Colorado and Wyoming conduct a detailed upper basin inventory, Wyoming's water is in jeopardy.

"It's that fear that is driving this issue," he said. "The threat is directly related to the establishment of our particular and agreed upon amounts of water."

Without those agreed-upon amounts, a more developed state like Colorado could use an over-inflated inventory to claim more than its apportioned share of molecular water, leaving less developed states like Wyoming holding nothing more than paper water.

But according to Wyoming Deputy State Engineer Harry LaBonde, Wyoming is safeguarded in part by water law.

"That's where we believe the 1948 Compact protects us," he said. "It does not allow other states to take our water."

Adding to the state's safeguards, LaBonde pointed to a recent hydrological assessment completed by the Bureau of Reclamation that amends the basin's water inventory from 7.5 million af to 6.1 million af. That would, in theory, prevent Colorado from claiming a larger allocation of molecular water than it is due. But Colorado is doing its own inventory.

It's determining if "Colorado has sufficient enough water to allocate under the compact," said Colorado State Engineer Dick Wolfe who noted, "We believe at this point ... that there is still water available in our allocation that could be made available for this project."

From there, the state must decide if it wants to use its available allocation on the RWSP. Thus far, it has not endorsed the project.

Wyoming Rep. Jim Roscoe (D-Wilson) said much is hedged on that decision.

"If Colorado doesn't approve it, then I think the deal is off," he said, adding the project has many obstacles to overcome.

One obvious obstacle is that RWSP has no clients. In other words, there are no customers waiting to buy Green River water at the other end of a yet-to-be-built pipeline. That perplexes Roscoe.

"Just to proceed at this point without that specified use," Roscoe, a House Select Water Committee member, said. "It's amazing the Army Corp of Engineers let it go another step forward."

Effects

Sublette rancher and Green River irrigator Albert Sommers believes any cross-basin diversions will have negative consequences.

"The worry is the (RWSP) will take up the unallocated Wyoming water," he said. "Then we would be held to our water right and with (our) long ditches. ... It would be very difficult to irrigate the way we do now – or irrigate at all."

That dry and dusty scenario and the uncertainty of RWSP's effects have prompted the Sublette County Commissioners to ask the Corp of Engineers for "Cooperating Agency Status."

"(That) gives us a seat at the table," Commissioner Joel Bousman said. "If we're denied, then we'll follow up by taking it further up the ladder."

He said the commissioners have major concerns about the project's effect on the county. "I don't know if (the Army Corp of Engineers) have it clear in their mind that there is going to be significant impact to the local custom and culture of the community."

But, he added, understanding those impacts is not easy.

"We've got a whole lot more questions than answers right now," he said. "That's why we want a seat at the table."

He encouraged Sublette County residents to attend tonight's meeting in Rock Springs to ask their own questions.

Determined development

Northern Colorado has grown by 45 percent (almost 183,000 people) since 1990 – and there is no end in sight. As those communities' populations grow, the demand for water will grow as well.

In Colorado, moving water from west to east has satiated growing demand. But eastern water-development interests have not always run roughshod over western water users – Two Forks demonstrated that.

But RWSP is different than Two Forks. It isolates the Green River Valley by limiting opposition from western Colorado water users while nurturing support from parts of eastern Wyoming. Although RWSP's effects on Sublette County are uncertain, any deprivation of water in arid country produces serious short and long-term consequences.

As the Front Range megalopolis is pressured to develop its Colorado River allocation, the Green River becomes a more attractive target both financially and politically.

And that inevitably pits southwest Wyoming against powerful water interests.

Like David and Goliath, the small communities of southwest Wyoming must battle a thirsty giant for its water.

And the result of that battle will forever shape the life and land of the Upper Green River Basin.

* The Army Corps of Engineers meeting will be held tonight at the Rock Springs East Junior High School Auditorium at 831 Gobel St. The meeting is scheduled from 6:30 p.m. to 9 p.m.