



DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RESOURCES

TO: Ms. J. Signe Snortland, Bureau of Reclamation

FROM: Kelley Thompson, Colorado Division of Water Resources

**RE: Comments on Draft Environmental Impact Statement,
Arkansas Valley Conduit and Long-Term Excess Capacity
Master Contract**

DATE: October 29, 2012

John W. Hickenlooper
Governor

Mike King
Executive Director

Dick Wolfe, P.E.
Director/State Engineer

This letter provides brief comments from the Colorado Division of Water Resources (CDWR) regarding the Draft Environmental Impact Statement (EIS) for the proposed Arkansas Valley Conduit and Long-Term Excess Capacity Master Contract project. The draft EIS documents are well written, detailed, and informative. A comprehensive and complete review of the Arkansas River Daily Simulation Model was not conducted by DWR at this time. However, it is clear that a significant amount of work was invested in the surface water model and the EIS.

The draft EIS Appendix (page D4-49) states "Operations of AVC would not directly affect senior water rights, including both direct flow and storage rights, owned by other entities within the basin". DWR suggests that this statement also be made in the main EIS document along with justification of why this is true despite modeling showing reduced deliveries to agricultural entities.

The draft EIS (page 4-35) states "To mitigate moderate effects of occasional low streamflow immediately below Pueblo Reservoir, and the effects of this low streamflow on water quality and aquatic life, Reclamation will assist the participants annually in reserving water in Pueblo Reservoir or upstream storage facilities that can be released to maintain flows in the Arkansas River downstream from Pueblo Reservoir. The amount of water/storage to be reserved would be evaluated during development of a Fish and Wildlife Mitigation Plan." DWR would appreciate any additional details on this plan in the final EIS if available.

For simulated demands in table 55 in the draft EIS Appendix (page D3-92), Average Annual Historic Diversion and Simulated Diversions for many agricultural water rights (for example "Catlin Canal demand") are listed as zero. DWR would appreciate additional explanation that would clarify why these values are listed as zero.

In the draft EIS Appendix (page D3-29), DWR suggests that titles for tables 13 and 14 should be "Diversion" number rather than "Division" number.

Thank you for the opportunity to comment on the draft EIS and be involved in the EIS process.

Respectfully,

Kelley Thompson, PE