

GRAND MESA WATER CONSERVANCY DISTRICT

**P.O. BOX 129
CEDAREGE, CO 81413**

February 6, 2012

Congressman Scott Tipton
218 Cannon House Office Building
Washington, DC 20515

Re: Congressional Hearing on Western Water Storage

Dear Congressman Tipton,

The Grand Mesa Water Conservancy District (District) would like to have the following experience and issues logged into the public record at the hearing February 7, 2012 entitled "Water for Our Future and Job Creation: Examining Regulatory and Bureaucratic Barriers to New Surface Storage Infrastructure." The District serves an area encompassing the Grand Mesa and Surface Creek Valley, Delta County, Colorado. As a taxpayer funded water conservancy district, it is mandated to monitor and preserve the water sources and tributaries supplying this precious lifeblood to our diverse area. The interests currently served are municipal, agriculture, recreation and recently several inquiries from the energy field (hydroelectric and fossil fuel energy). In the fall of 2008, the District board of directors voted to embark on a plan to rehabilitate breached reservoirs on the Grand Mesa National Forest within its jurisdictional boundaries. As of this date, the District has completed approximately 35% of the Peak Reservoir project and 5% of the Blanche Park Reservoir Project. Note, due to weather conditions, site work is limited to the months of July through October.

The District has encountered a laundry list of regulations and studies that has taken several years to wade through. The agencies involved are the US Forest Service and The Army Corps of Engineers. When the first project, the Peak Reservoir was started, the US Forest Service gave us an outline of the studies required to be completed and told us that they could not address any of these studies until maybe the next year. If we were interested in seeing our project move forward, the District should consider hiring a private firm qualified and approved by the Forest Service to complete the work. There were a couple of the studies that the Forest Service, personnel were required to complete. The District contracted with an approved firm to complete the work which was done summer of 2010. The District was then billed by the Forest Service for the work despite that fact we hired private contractors thus double payments. With the Army Corps, they do not do anything on the ground. They require the applicant to hire qualified services to address the list of concerns the Corps has which is always subject to change. The District was able to take aggressive action with a company that had experience working on the issues at hand. To complete this leg of our project took until spring of 2011. It was determined that there had to be mitigation due to the wetland plants along a tiny stream that ran through this empty structure. With all the permits finally in hand, the spring of 2011, financing in place, contractor hired, work was set to begin July of 2012. Remaining was a timber cruise involving

approximately 150 trees. The timber turned out to be of no economic value, but the District was charged \$6,000 for the right to remove them. Incidentally the Forest Service Timber personnel held up this entire project until late August because they did not have time to deal with our project. With the seven weeks of lost time, the construction was not able to be completed and over this winter, one of the grants that was held for this project was canceled. Part of the excess material from this project is scheduled to be used in the rebuilding of the Blanche Park Reservoir.

The District began the process to rebuild Blanche Park with the US Forest Service and the US Corps of Engineers during the fall of 2010. The engineering reports revealed that there would be enough excess material from the Peak Reservoir project to supply the needs for Blanche Park thus eliminating the need to disturb any surface area of the reservoir footprint except the dam structure. As before, the District hired a private firm to deal with the studies allowed by the Forest Service. The application for the project with the Forest Service was filed January of 2011. There was not even an acknowledgement received until January 2012 when a bill arrive for the work we had all ready completed. This project is being built on a "1891 Easement" however the access road has disappeared during the course of time. The District engineer has spent seven months attempting to identify a new access to the site and we still do not have a USFS accepted route. The distance is less than 2000 feet. The hope is that the permits can be secured for this project allowing us to move material a mile and a half from the Peak project to the Blanche Park project. If this cannot be accomplished, the excess material will have to be stockpiled and moved later, thus doubling the cost.

The District considers these huge tasks of studies and reviews as necessary if the District were building large reservoir structures. The Peak Reservoir project holds 35 acre feet of water on less than five acres. The Blanche Park Reservoir project hold 115 acre feet of water with only the dam site being disturbed. Despite the fact, these are small projects, the security these projects offer to the water supply of our service area is very important.

I hope these two examples provide insight to the frustration that is endured to accomplish any type of activity on the Federal Lands. Also, there are two very important issues that have faced our reservoir owners. First, the required studies and permits make what was simple repairs to the reservoirs a multi-year undertaking. Secondly, these are owned privately or under small corporations that do not have the financial ability to cover the costs of studies and permits now required. Most owners would have the ability to cover the cost of an actual repair but the cost incurred for now required engineering and studies have tripled what the actual cost should be. The District made a study in conjunction with the Grand Mesa Water Users Assn. of the water storage capacity that is currently under restriction for deferred dam maintenance and found 3800 acre feet of water storage is in jeopardy of being lost due mainly to cost of repairs. This figure represents approximately 15% of the total capacity of water storage on the Grand Mesa.

Please consider the damage these policies and regulations are placing upon our constituents living in the Surface Creek Valley, Delta County, Colorado

Respectfully Submitted,
Austin M. Keiser, President