

Town of Hot Sulphur Springs

C O L O R A D O

Grand County Commissioners
PO Box 264
Hot Sulphur Springs, CO 80451

RECEIVED
AUG 22 2012

BY:

RE: 1041 Comments for Windy Gap FIRMING Review

Dear Commissioners,

The Town of Hot Sulphur Springs submits the following comments for your consideration with regard to the 1041 permit application submitted by the Municipal Subdistrict of the Northern Colorado Water Conservancy District (Subdistrict) for the Windy Gap FIRMING Project (WGFP).

We understand that this project proposes to divert an additional 30,000 acre feet of water from the headwaters of the Colorado River. This amount of water loss represents 15 to 20 percent of current flows which are already subject to a 60 percent loss due to existing authorized diversions.

Hot Sulphur Springs is directly downstream from the Windy Gap Dam and Reservoir where the proposed additional water diversions would occur. We are deeply concerned that the additional diversions would adversely affect our town and river through Pioneer Park. We have supplied our residents with drinking water from an intake on the Colorado River since 1910 and have been treating wastewater at our current facility and returning it back to the river since 1975. The Colorado River is one of the premier amenities of our town. It is gold medal fishing water and is enjoyed by campers, anglers, floaters and others who like the natural setting in this scenic river corridor. The river is, in a large way, the cultural and economic essence of our town.

We are concerned that the additional diversions will result in greatly extended periods of low water flow, further reduction in the riverbed cleansing high flows, higher water temperatures, increased nutrient levels, and further degradation of habitat for aquatic biota. The aquatic habitat has already been seriously degraded downstream of Windy Gap Dam due to the cumulative effects of Subdistrict diversions together with diversions by Denver Water causing higher water temperatures and low flows. Lower flows will be detrimental to the town's water and sewage treatment capacity resulting in increased sediment, higher costs for treatment facility maintenance, and chances for violation of our CDPHE permits.

We are dismayed with the apparent lack of recognition of Hot Sulphur Springs' dependence on the river as indicated by its omission in the list of beneficial uses among the towns with municipal water diversions in the draft Intergovernmental Agreement [sect. IIIF4)(i)]. Hot

Sulphur Springs is the first town that would bear the full brunt of any effects of the proposed WGFP.

With these concerns in mind, we request that review of the Subdistrict's application for a 1041 permit be contingent on including, as a minimum, the following conditions.

1. Completion of a study to address options for a water diversion system that allows the river to bypass Windy Gap dam.
2. Construction of a dam bypass system by the Subdistrict.
3. Guarantee periodic river flushing flows of sufficient magnitude to adequately clean the riverbed and provide overbank riparian flows as well as quality aquatic habitat.
4. Develop and implement a plan to reduce nutrient levels.
5. Develop and implement a long term water monitoring program that tracks water temperature, nutrient levels, sediment, river bed condition, and other indicators of aquatic habitat health. The program must include measures, funded by the Subdistrict, for taking action to correct unacceptable conditions.
6. The Subdistrict must be responsible for correcting any adverse impacts to the Hot Sulphur Springs water supply system and increased costs of operating its treatment facilities, including violations of our permit, caused by the WGFP.
7. The Subdistrict must bear the full cost of implementing all of these conditions and any other expenses related to the WGFP. The taxpayers of Grand County should not be burdened with any costs associated with this project.

Hershal Deputy
Mayor of Hot Sulphur Springs