



July 25, 2022

**Camille Touton
Commissioner
U.S. Bureau of Reclamation
1849 C Street NW
Washington DC 20240-001**

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RE: USBR must issue “stop construction” directives on all new dam and diversion projects, including the Windy Gap Firing Project and Moffat Collection System Project

Dear Commissioner Touton,

We appreciate your comments on June 14, 2022, at the Senate Committee on Energy and Natural Resources¹. We agree with you that drastic cutbacks to diversions of water out of the Colorado River need to happen within the next 12 months, and we agree with your 60-day deadline that you gave to the states to create a Plan for those cutbacks.

On July 19th, the Upper Colorado River Commission sent you a letter outlining their “Plan” to address your required cutbacks. We find their Plan to be completely inadequate for the reasons stated in our comments on July 20th².

Specifically, and of most importance, the Upper Basin States – CO, WY, UT, and NM – are all planning new dams, diversions, and pipelines that would remove a new ~400,000 acre feet of water out of the Colorado River, on average, every year. Further, Denver Water and Northern Water right now are constructing two new projects that would remove a new ~45,000 acre feet of water, on average, out of the Colorado River each year. Denver Water’s project is named the “Moffat Collection System Project” (15,000 acre feet) and Northern Water’s project is named the “Windy Gap Firing Project” (30,000 acre feet).

Further yet, neither Denver Water nor Northern Water has secured, or even tried to secure, “replacement water” to offset these new diversions. Such replacement water could be secured by buying water from farmers on the Western Slope of Colorado and then sending that water

¹ <https://www.energy.senate.gov/hearings/2022/6/full-committee-hearing-to-examine-short-and-long-term-solutions-to-extreme-drought-in-the-western-u-s>

² <https://savethecolorado.org/press-release-upper-basin-colorado-river-response-to-burec-is-meaningless-gibberish/>

downstream to compensate, equally, for the new diversion amount upstream by those projects.

The U.S. Bureau of Reclamation was deeply involved in the permitting process for both of these projects – as the co-lead permitting agency in the Windy Gap Firming Project, and as a consulting agency in the Moffat Collection System Project. During those permit process, Save The Colorado repeatedly pointed out the exact same situation that USBR now portends to be an emergency requiring dramatic cutbacks of water – i.e., that the new diversions of water by these two project would amplify the crisis on the river, help lead to emergency low levels of water at Glen Canyon Dam and Hoover Dam, and eventually lead to a “Compact Call”³⁴⁵. **USBR completely ignored us.**

Accordingly, we request that the U.S. Bureau of Reclamation issue “**STOP CONSTRUCTION**” orders to both Denver Water and Northern Water. The Moffat Collection System Project and Windy Gap Firming Project must either be fully stopped and never restarted, or, “replacement water” must be secured to substitute for the diversion amounts (~45,000/year) that these two projects will remove from the Colorado River.

Thank you for the opportunity to provide input in the 60-day window required in your Senate speech. Please contact me with any questions.



Gary Wockner, PhD,
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³ <https://www.savethecolorado.org/blog/wp-content/uploads/2015/08/STC-letter-corps-Moffat-CompactCall-Final-8-27-2015.pdf>

⁴ <https://savethecolorado.org/save-the-colorado-squares-off-against-the-windy-gap-firming-project/>

⁵ <https://savethecolorado.org/press-release-groups-file-lawsuit-to-stop-new-diversion-and-protect-flows-in-colorado-river/>