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at regulations.gov, Docket No. NRCS–2022–0012

Scoping comments of Save The Colorado on the West Fork Battle Creek Watershed Plan

Dear USFS and NRCS Officials:

The following are scoping comments of Save The Colorado on the West Fork Battle Creek Watershed Plan, land swap, and planned dam and reservoir (collectively, “the project”) pursuant to the federal register notice¹. The agencies must include the following analysis in the forthcoming EIS:

First, back in 2017 the media reported that the estimated cost of the West Fork Dam was “~\$80 million”². We are involved in over a dozen dam battles around the Southwest U.S., and the cheapest one we’ve seen is around \$200 million and that’s for a relatively small dam enlargement. We believe the total cost of the West Fork Dam will be at least \$250 million, and likely more.

- The EIS process must include two fully developed cost estimates made by reputable construction/engineering firms that do not have any personal connection to any of the proposed recipients of water or any other conflict of interest.
- To be fully developed, the cost estimates must include:
 - Engineering estimates,
 - Design and planning,
 - Land acquisition,
 - Construction of the dam,
 - The construction of any roads to build and/or maintain the project,
 - Any electrical transmission lines that need to be built to support construction,

¹ <https://www.federalregister.gov/documents/2022/12/28/2022-28245/notice-of-intent-to-prepare-an-environmental-impact-statement-for-the-west-fork-battle-creek>

² <https://wyofile.com/feds-eye-20m-for-embattled-dam-as-public-demands-answers/>

- Any infrastructure related to the transmission of water through ditches, pipelines, and/or pumping so the water reaches interested irrigators,
- Financing costs,
- Mitigation costs, and
- Litigation costs.

We believe that the true cost of the project will be dramatically more than the \$80 million estimate which will consequentially and legally change the alternatives analysis as well as any public benefit and public interest calculation. Further, when the total and true cost of the project is finalized, we believe it will be impossible for irrigators to afford the water.

Second, as you are all aware, the drought situation, and the management, of the Colorado River is collapsing right now. The EIS process must fully analyze how any added depletion in the tributaries of the Yampa River are factored into climate change and the Colorado River's management.

Third, the EIS process must include an analysis of all downstream environmental impacts in the Little Snake River and Yampa River including but not limited to the impact of modified sediment transport, dynamic channel migration, recreational resources, riverine and riparian habitat diversity, native and endangered fish anywhere in the Colorado River basin that may rely on the flow of water in the Colorado River.

Fourth, the EIS process must include an estimate of the greenhouse gases emitted by the project. A discussion of those gases and methodologies can be found on the EPA's website here³.

We appreciate the opportunity to comment. Please reach out to us with any questions.



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³ <https://www.epa.gov/air-research/research-emissions-us-reservoirs>