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EAGLE COUNTY

Aurora Water says it's complying with state on Homestake project

Opposition growing to effort that would divert creek water to reservoir

Translate

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Aurora Water officials on Friday confirmed they are working to provide additional water quality information the state has requested as the water utility for Colorado's third-largest city seeks a state Regulation 87 dredge and fill permit for the proposed Wild Horse Reservoir in Park County that would partially be filled by Homestake Creek water from Eagle County.

Hit by the nationwide Microsoft Outlook email outage last week, Aurora Water was unable to respond to the Vail Daily's request for comment on a Colorado Department of Public Health and Environment order seeking more water-quality information, modeling and analyses on Thursday.

Aurora Water Senior Communications Strategist Zach Henry did, however, send the following email on Friday:

"We are continuing to work with CDPHE to provide the additional information they requested for the Regulation 87 review process," Henry said, adding that the deadline for commenting on the project to the state, which has already been extended once, remains in place for Thursday.

"CDPHE is not going to be extending the timeframe for the current comment period, which ends on Thursday," Henry added. "After Aurora Water provides the additional information that CDPHE has requested, CDPHE will provide an additional public notice and comment period on the water quality information and analyses.".

Once Aurora Water's additional information on water quality and modeling is provided, there will then be another comment period on that subject, according to state officials. Meanwhile, the list of local water officials opposing the proposal only continues to grow.

"Homestake Creek and the Upper Eagle River are already deeply affected by existing transmountain diversions where water moves through pipes from the Western Slope to the Front Range," wrote Dick Cleveland and George Gregory, board chairs of the Eagle River Water and Sanitation District and Upper Eagle Regional Water Authority, respectively.

"Between 50 and 70% of Homestake Creek's flow is diverted depending on the amount of snowpack and resulting runoff, i.e., more water is diverted in wet years. That represents 25 to 40 percent of the total native flow in the Upper Eagle River at Minturn," Cleveland and Gregory added. "Water sent across the Continental Divide never returns to this basin."

Aurora Water built and owns Homestake Reservoir, which was finished in 1967 and has a capacity of 43,000 acre-feet. One acre-foot is about 326,000 gallons of water. It's estimated Aurora Water currently takes an average of

24,000 acre-feet a year out of Homestake Reservoir and pipes it under the Continental Divide into Turquoise Lake and then onto the Front Range. That means Aurora Water owns another 19,000 acre-feet of existing absolute water rights.

"The water for the proposed (Wild Horse) project would be from existing absolute water rights," Henry wrote in an Oct. 7 email to the Vail Daily. "This is because the proposed project does not change the existing water collection infrastructure for the Homestake system, which remains bound by legal, hydrologic (streamflow), and physical constraints. The new reservoir does not change the existing operations of how much water Aurora Water can legally and physically collect from Homestake Creek."

Henry went on to explain that in wet years the impacts will be minimal.

"In exceptionally wet years (like 1983 or 1984), there would be a 3.5% decrease in Homestake Creek streamflow for one month out of the year," Henry said. "The change would be less than 1% past the convergence with Eagle River for that one month. The additional diversions would be existing water rights."

However, Cleveland and Gregory questioned the timing of the proposal during the current megadrought, coming off a record low snow year at Vail and a slow start to the current season.

"The timing of this application is a serious concern," they wrote. "We are in the worst drought on record, and still in a Stage III Water Shortage. Communities across the Eagle River watershed and greater Colorado River Basin are being asked to use less. Taking more water out of the basin at a time like this adds even more of the burden of shortage onto those who live here."

Aurora Water also owns property in the Homestake Creek Valley where it has explored building another dam to create what's been dubbed the proposed Whitney Reservoir — a controversial project that would inundate ancient fens and wetlands. There has been no formal federal permit application filed for Whitney.

Jason Cowles, a project manager and consultant who formerly served as director of engineering and water resources for the Eagle River Water and Sanitation District, sent a comment to the CDPHE requesting the state deny the first-ever Regulation 87 dredge and fill permit filed under Colorado's new wetlands law.

"The relevant question is not whether Aurora already owns the water rights or whether physical modifications to the existing transmountain diversion structures are proposed," Cowles wrote to the CDPHE. "The question is whether Wild Horse Reservoir would enable Aurora to exercise those rights more frequently, divert a greater portion of legally and physically available water, or change the timing of those diversions."

Human-caused climate change and global warming from burning fossil fuels has demonstrably impacted snowpack and soil conditions in the Upper Colorado River Basin. Cowles, in his official comment, cites Vail Daily reporting on the Wild Horse proposal, and he argues Aurora Water's modeling and analyses may be stuck in the past, given rapidly changing conditions.

"The hydrologic conditions under which these diversion systems were developed — and under which earlier environmental analyses may have been completed — cannot be assumed to represent conditions during Wild Horse Reservoir's operating life," Cowles wrote. "The Division (CDPHE) should require an updated evaluation of each contributing source and affected stream reach that accounts for observed changes over the past 26 years and reasonably foreseeable future conditions, including warming, changes in snowpack and runoff timing, prolonged drought, and existing aquatic-resource stress.

"Any reliance on prior analysis should demonstrate that its data, assumptions, and conclusions remain applicable to those conditions and to the operational changes enabled by Wild Horse," Cowles added. "Prior approval alone does not provide that demonstration."