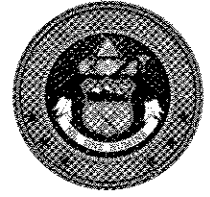


STATE OF COLORADO

OFFICE OF THE GOVERNOR

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Bill Ritter, Jr.
Governor

August 9, 2010

The Honorable Lisa P. Jackson
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. – 1101-A
Washington, D.C. 20460

Dear Administrator Jackson:

I am writing to you regarding the Chatfield Reservoir Reallocation Study. In this study, three Colorado agencies and fifteen water supply providers are investigating the economic and environmental feasibility of creating new water supply storage space within Chatfield Reservoir.

Chatfield is an existing federal reservoir that is controlled by the U.S. Army Corps of Engineers (USACE) for multiple purposes including flood protection. A proposal that emerged from the Chatfield Study is to reallocate up to 20,600 acre-feet of existing storage space within the reservoir for water supply use along Colorado's Front Range. The USACE has determined that Chatfield Reservoir can accommodate this extra storage without limiting the reservoir's usefulness as a flood control structure. Chatfield reallocation would secure critical water supplies for fifteen Colorado water providers. By maximizing existing infrastructure, the reallocation means that there is no need to increase the size of the existing dam or spillway or build a new dam. Water supply benefits from the reallocation would be significant, serving up to 32,000 homes.

It has come to my attention that a letter from Carol Campbell, EPA Region 8, to Colonel Ruch, Omaha District Commander of USACE, dated May 18, 2010, indicated concerns about the Chatfield Study with respect to the Clean Water Act and requirements related to the Least Environmentally Damaging Practicable Alternative. Subsequently, at a June 10, 2010 meeting, EPA staff stated that EPA Region 8 plans to deny the proposed reallocation plan and recommend that the ultimate decision be elevated to higher levels in Washington, D.C.

Since the complete Draft EIS for Chatfield has not been released to the EPA, it appears that such assertions by Region 8 staff are made without full information and indicate a predetermined view of the project by the EPA. With regard to the conflict between the EPA and the USACE, I am greatly concerned that a disagreement between two federal agencies could result in denial of a project so important to Colorado and fifteen of our communities.

The USACE Civil Works used a widely accepted process developed by the National Water Resource Council for evaluating the Chatfield proposal. I applaud the USACE for employing a systematic approach that clearly articulates the basic assumptions employed, the data analyzed, and the reasons and rationale applied. We are less clear on the EPA's process of reaching its determinations with regard to Chatfield.

I believe this project is critical to meeting Colorado's water needs, as water demand is projected to far outstrip supply by 2050. We are exploring all options for increasing supply, including conservation, agricultural transfers, and new water development. Yet, new storage options are a vital aspect of meeting our projected water needs. Climate change and our uncertain future require that we develop and implement strategies that maximize flexibility. Storage options like Chatfield can provide much of that needed flexibility. Considering the Chatfield proposal is using an existing reservoir, this project is likely one of the most cost effective and least resource intensive options. In the Chatfield reallocation proposal, we have a once-in-a-generation opportunity that enjoys broad support from municipal, agricultural, and environmental interests.

The State of Colorado shares EPA's concern and dedication to protecting the environment. My administration has been steadfastly committed to protecting our waterways and natural surroundings. The State of Colorado has been and will continue to work collaboratively with all stakeholders and federal agencies to ensure that the Chatfield reallocation project minimizes environmental impacts. In fact, the Chatfield project represents a notable example of how regional water supply planning can successfully use a transparent and collaborative approach involving diverse stakeholders such as the Sierra Club and the Audubon Society.

I am concerned that by rejecting the Chatfield project before the Draft EIS has been released, the EPA has eliminated one of the most viable water options that Colorado has. I ask that the EPA proceed with a thoughtful and transparent process that does not prejudice a project but instead balances important civic and environmental needs.

I look forward to working with you to resolve EPA's concerns in a manner that supports the Chatfield reallocation project.

Sincerely yours,

A handwritten signature in black ink, reading "Bill Ritter, Jr." in a cursive style.

Bill Ritter, Jr.
Governor

Cc: Mr. G. Witt Anderson, Division Programs Director, USACE, NWD
Colonel Robert J. Ruch, Commander, USACE, Omaha District
Mr. Jim Martin, Regional Administrator, U.S. EPA Region 8