



**US Army Corps  
of Engineers**  
Omaha District

## **PUBLIC NOTICE**

Corps ID No: **NWO-2007-1337-DEN**

Project: **Regional Watershed Supply Project**

Applicant: **Million Conservation Resource Group**

Issue Date: **August 11, 2009**

Comments Due: **September 28, 2009**

Additional Info: <https://www.nwo.usace.army.mil/html/od-tl/eis-info.htm>

### **PUBLIC NOTICE**

#### **Section 404 of the Clean Water Act – Permit Review ENVIRONMENTAL IMPACT STATEMENT U.S. ARMY CORPS OF ENGINEERS REGULATORY BRANCH**

#### **Regional Watershed Supply Project Proposed by Million Conservation Resource Group Extension of Comment Period**

The U. S. Army Corps of Engineers (Corps), Omaha District Regulatory Branch, Denver Office, is beginning to review a request for permit authorization, pursuant to Section 404 of the Clean Water Act, from Million Conservation Resource Group (MCRG), to construct a proposed water supply pipeline project in Wyoming and Colorado, referred to as the Regional Watershed Supply Project (RWSP). The Corps has determined that the project must undergo the highest level of permit review, an Environmental Impact Statement (EIS). The study is estimated to take five years before a permit decision is made.

At the beginning of the EIS process, the Corps conducted public scoping meetings to introduce the project proposal to the public, describe the process of the EIS, and solicit input on the issues and alternatives to be evaluated.

Public Scoping meetings have already been held at the following locations:  
April 14, 2009 – Green River, WY; April 15, 2009 – Vernal, UT; April 16, 2009 – Laramie, WY; April 20, 2009 – Fort Collins, CO; April 21, 2009 – Denver, CO; April 22, 2009 – Pueblo, CO; June 9, 2009 Rock Springs, WY; June 10, 2009 – Craig, CO; June 11, 2009 – Grand Junction, CO.

**The comment period has now been extended to September 28, 2009.** The Corps is extending the comment period to allow for additional time to respond to requests for cooperating agency status, and desires to do so during the public scoping comment period. Specifically, the Corps intends to communicate with some entities on consolidating participation by appointing a single point of contact to represent multiple entities.

The Million Conservation Resource Group (MCRG), a private entity, is pursuing construction of the

Regional Watershed Supply Project to provide additional water supply to southeastern Wyoming and the Front Range of Colorado. The water, which would be diverted from the Green River, would consist of the currently unused portion of the Upper Colorado River Compact waters allocated to Wyoming and Colorado. The states of Colorado and Wyoming will determine how much water is available to their respective states.

Scoping information can be requested by phone, mail or e-mail, or can be found on the web at <https://www.nwo.usace.army.mil/html/od-tl/eis-info.htm>. (Because this website is a secure Army Website, you may get a "Certificate Error" when first visiting the website. It is safe to click to continue, and this will link you to the Corps EIS website.)

### **The Corps' Authority and Role:**

This application is being reviewed under Section 404 of the Clean Water Act, which regulates the placement of dredged or fill material into Waters of the United States, including wetlands. The Corps' role in this process is to develop a thorough, balanced study that can guide the agency in making an informed decision about whether to approve or deny the permit. The Corps is neither an opponent nor a proponent of this project and no Federal funds would be used to construct the project, if a permit is issued.

### **Proposed Project Description**

The permit applicant, MCRG, proposes the following configuration of the RWSP: Two water withdrawal facilities, one on the east side of Flaming Gorge Reservoir in Wyoming and the other on the east bank of the Green River in Wyoming approximately 200 feet downstream of the Seedskaadee National Wildlife Refuge; one water treatment storage reservoir located near the Green River intake system; water pipeline system (approximately 560 miles in length and a diameter of 72 to 120 inches) from the two withdrawal points to southeastern Wyoming and the Front Range of Colorado (Wyoming-Colorado State Line to Pueblo); approximately sixteen natural gas-powered pump stations located along the pipeline route; temporary (construction phase) and permanent (operation and maintenance phase) access roads; three water storage/flow-regulation reservoirs (Lake Hattie in Wyoming [available volume of approximately 40,000 acre feet]; proposed Cactus Hill Reservoir near Fort Collins, CO [185,000 acre-foot capacity]; and the proposed T-Cross Reservoir to be constructed near Pueblo, CO [25,000 acre-foot capacity]); outlet structures at each reservoir consisting of water treatment facilities; on-site transformers and overhead power lines from local electrical grids for the water withdrawal and storage reservoir facilities; and water delivery systems from the storage reservoirs to water users.

### **Applicant's Stated Purpose**

MCRG's stated purpose is to provide approximately 250,000 Acre Feet of water from the Green River basin to Colorado and Wyoming. Water deliveries from the project are needed to meet a portion of the projected future demands of Colorado Front Range and Wyoming users. The potential water users for the proposed project are expected to include agriculture, municipalities, and industries in southeastern Wyoming and the Front Range of Colorado. In Wyoming, approximately 25,000 acre-feet of water would be delivered annually to users in the Platte River Basin. The remaining 225,000 acre-feet of water would be delivered annually to the South Platte River and Arkansas River basins in Colorado. In Colorado, MCRG based its current and projected future water demand on the Statewide Water Supply Initiative (SWSI) and subsequent Phase II studies conducted by the Colorado Water Conservation Board in 2007. For Wyoming, MCRG's analysis is based on the Wyoming Water Development Commission's Platte River Basin Plan Final Report of 2006.

### **The Corps' Role in defining the Purpose**

In defining a project purpose, the Corps must comply with the National Environmental Policy Act (NEPA) and the Section 404 (b)(1) guidelines. The project purpose is commonly referred to as the

purpose and needs statement. At the start of the EIS, the NEPA process gives the public the opportunity to provide comments on potential impacts and alternatives to be analyzed during the development of the EIS. The Corps reviews and considers public comments when developing the purpose and needs statement. The Corps then uses that statement to evaluate alternatives, and independently verify the project's need. Critical questions, such as how much water is available and who will use the water, will be answered through the NEPA process. Those questions must be answered before the Corps determines whether to approve or deny the permit.

### **The Corps' use of a 3<sup>rd</sup> Party Contractor to Prepare the EIS**

The Corps is utilizing a 3<sup>rd</sup> party contractor, AECOM, to prepare the EIS. The EIS will be prepared according to the Corps' procedures for implementing NEPA, as amended, 42 U.S.C. 4232(2)(c), and consistent with the Corps' policy to facilitate public understanding and review of agency proposals. As part of the EIS process, a full range of reasonable alternatives, including the Proposed Action and No Action, will be evaluated. Alternative water source origins, pipeline alignments, and alternative storage reservoirs will be considered for the study.

### **Funding for the preparation of the EIS**

Funding for this EIS is paid by the applicant, MCRG. As the lead federal agency of the preparation of the EIS, the Corps Regulatory Branch provides instructions and guidance to AECOM relative to the preparation of the EIS. The Corps determines the scope of work and analyses, data interpretation, and conclusions. AECOM is not allowed to request nor take direction from MCRG, participants and/or their contractors on any aspect of the EIS preparation. Billing for the work accomplished by AECOM is submitted directly to the MCRG for payment and is paid by MCRG.

### **Evaluation Factors**

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against the reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; conservation, economics, aesthetics, wetlands, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impacts will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 C.F.R. Part 230).

### **Other Agency Involvement**

During this scoping period, the Corps is inviting other Federal, Tribal, State, local agencies and officials, and other interested parties to participate in the EIS review process to ensure compliance with relevant laws and regulations.

**Questions and scoping comments regarding the proposed action and EIS should be addressed to:**

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Check for updates on the Regional Watershed Supply Project proposed by Million Conservation Resource Group at <https://www.nwo.usace.army.mil/html/od-tl/eis-info.htm>. (Because this website is a secure Army Website, you may get a "Certificate Error" when first visiting the website. It is safe to click to continue, and this will link you to the Corps EIS website.)