

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

)	
Utah Board of Water Resources)	
)	P-12966-004
Lake Powell Pipeline Project)	
)	

**AMERICAN RIVERS’ MOTION TO INTERVENE IN THE ORIGINAL LICENSING
FOR THE LAKE POWELL PIPELINE PROJECT**

Pursuant to 18 C.F.R. § 385.214 and the “Notice of Application Accepted for Filing, Soliciting Motions to Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions,” eLibrary no. 20171211-3022 (Dec. 11, 2017) , as modified by the “Notice Suspending Procedural Schedule,” eLibrary no. 20180111-3085 (Jan. 11, 2018), American Rivers hereby moves to intervene in the licensing proceeding for the Utah Board of Water Resources’ (UBWR) proposed Lake Powell Pipeline Project (LPP Project). American Rivers intends to submit comments and recommendations relevant to the Federal Energy Regulatory Commission’s (Commission) and Cooperating Agencies’ environmental analysis at a later date.

**I.
Description of American Rivers**

American Rivers is a national, non-profit, 501(c)(3) conservation organization with an office in Denver, Colorado, offices nationwide, and headquarters in Washington, D.C. It serves more than 275,000 members and supporters nationwide, and over 30,000 members in the seven-state Colorado River Basin region.

American Rivers is dedicated to protecting wild rivers, restoring damaged rivers, and conserving clean water for people and nature. Since its founding in 1973, it has built expertise on a wide range of issues relevant to river restoration, including water conservation, fish and wildlife protection, and climate change. It has brought this expertise to bear in the numerous licensing and relicensing proceedings it has participated in throughout the country. Its efforts have contributed directly to the restoration of 407.5 river miles through dam removal and reoperation.

II. **Description of American Rivers' Interests**

American Rivers has direct and substantial interests in the outcome of this proceeding. In the Colorado River Basin, American Rivers is focused on advancing sustainable water supply solutions so cities, farms, and fish and wildlife can thrive. Its work to promote alternatives to large trans-basin diversion projects (like the proposed LPP Project), which generally have high economic and environmental costs, is critical to achieving that objective.

Throughout the Colorado River Basin, American Rivers is actively engaged in basin-wide efforts to support system conservation and water demand reduction solutions to maintain water levels in Lake Powell and Lake Mead, to increase water supply reliability and security for people and farms, to protect water quality and instream uses like fish and recreation, and to promote low-impact hydropower generation. The goal of these efforts is to ensure the Colorado River can continue to provide water for human and environmental needs in the face of climate change, drought, and population growth.

If developed as proposed, the LPP Project would undermine these efforts – which are supported by all seven (7) basin states including Utah – by erasing potential water savings gains

delivered to Lake Powell and discouraging support for, and participation in, basin-wide solutions to reduce water demand. For this reason, American Rivers is opposed to the LPP Project as proposed in UBWR's "Integrated Licensing Process Application for License for Major Unconstructed Project." American Rivers' opposition also stems from the incompleteness of the license application and concern that the information UBWR has provided does not demonstrate the proposed LPP Project is feasible or in the public interest.¹

American Rivers already has invested significant resources in participating actively in the licensing proceeding to date.² It also was a party to the separate but related proceeding established in response to UBWR's Petition for Declaratory Order.³

III.

American Rivers' Participation Is in the Public Interest

American Rivers' intervention is in the public interest as required by 18 C.F.R. § 385.214(b)(2)(iii). Through its participation in this proceeding, American Rivers will advocate for, and contribute to, the development of an administrative record that supports licensing outcomes that preserve and enhance the Colorado River Basin and public lands proposed to be

¹ American Rivers, "American Rivers' Motion to Intervene and Comments in Response to Notice of Petition for Declaratory Order," eLibrary no. 20180212-5205 (Feb. 12, 2018).

² *See, e.g.*, American Rivers *et al.*, "Comments of the Lake Powell Pipeline Coalition on Scoping Document 1 and Pre-Application Document, and Additional Study Requests," eLibrary no. 20080707-5206 (Jul. 7, 2008); American Rivers *et al.*, "Lake Powell Pipeline Coalition's Comments on Study Plans and Draft Study Reports," eLibrary no. 20110506-5125 (May 6, 2011); American Rivers *et al.*, "Lake Powell Pipeline Coalition's Comments on Modified Draft Study Reports," eLibrary no. 20120323-5005 (Mar. 23, 2012); American Rivers, "Comments on the Preliminary Licensing Proposal," eLibrary no. 20160229-5424 (Feb. 29, 2016); American Rivers, "Comments Regarding Utah Board of Water Resources' Socioeconomic Information," eLibrary no. 20171222-5045 (Dec. 22, 2017); American Rivers, "Answer in Opposition to Motion for Expedited Action and in Support of Motion for Suspension of Procedural Schedule," eLibrary no. 20180102-5375 (Jan. 2, 2018).

³ *See, e.g.*, "American Rivers' Motion to Intervene and Comments in Response to Notice of Petition for Declaratory Order," pp. 7-10.

crossed by the LPP Project. No other party to the proceeding is qualified to represent American Rivers' organizational interests or the interests of its individual members.

IV.
Conclusion

American Rivers requests that its Motion to Intervene in this proceeding be granted.

Dated: October 1, 2018

Respectfully submitted,



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DECLARATION OF SERVICE

Utah Department of Natural Resources' Division of Water Resources
Lake Powell Pipeline Project (P-12966)

I, Tiffany Poovaiah, declare that I today served the attached “American Rivers’ Motion to Intervene in the Original Licensing for the Lake Powell Pipeline Project” by electronic mail, or by first-class mail if no e-mail address is provided, to each person on the official service list compiled by the Secretary in this proceeding.

Dated: October 1, 2018



By:

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