

**Statement of Lionel Rivera
Mayor, City of Colorado Springs**

**Field Hearing on “The Fryingpan-Arkansas Project at 45:
Sustainable Water for the 21st Century”
House Committee on Natural Resources Subcommittee on Water and Power**

June 1, 2007

Madam Chairman Napolitano, Members of the Committee and Members of Congress:

Thank you for the opportunity to appear before you today to discuss the Fryingpan-Arkansas Project. My name is Lionel Rivera, and I am the Mayor of the City of Colorado Springs. Colorado Springs is the second largest city in Colorado, and is the County Seat of El Paso County which recently passed the City and County of Denver as the State’s most populous county.

Nestled at the foot of Pikes Peak, Colorado Springs is probably known to many of you as being the location of the world-famous Broadmoor Hotel, the United States Olympic Training Center, and for being the home of some of our nation’s most important military installations including the United States Air Force Academy; Peterson Air Force Base, headquarters for the US Northern Command; and Fort Carson, headquarters of the US Army’s 4th Infantry Division. However, what may not be as well known to you is that all of these entities and a population of over 400,000 people rely upon the City of Colorado Springs to deliver their water supply.

Colorado Springs first developed the available water supplies on, and in the vicinity of, Pikes Peak. When those supplies proved insufficient for the needs of the City, Colorado Springs undertook the construction of a pipeline from the headwaters of the Blue River, in Summit County, Colorado. Thereafter Colorado Springs, in partnership with the City of Aurora, developed additional water supplies out of the Eagle River headwaters through a project called The Homestake Project. At the same time Colorado Springs participated in the development of the Fryingpan-Arkansas Project for additional water supplies and acquired interests in the Twin Lakes Company system which gets its water from the headwaters of the Roaring Fork River. Finally, after undertaking all of these developments, Colorado Springs was approached by a water broker and ultimately purchased a significant package of water that had formerly been used to irrigate lands under the Colorado Canal.

Today, Colorado Springs’ water supply comes from a variety of sources, and features a water delivery infrastructure that reaches over three river basins and seven counties, and, on average, 70% of our water supply is delivered from western Colorado via three delivery pipelines. The Fry-Ark Project plays an integral role in delivering this water.

As you have already heard from Mr. Long, President of the Southeastern Colorado Water Conservancy District and Mr. Ryan of the Bureau of Reclamation, the Fry-Ark Project was conceived, planned and constructed as a multi-purpose project to serve both the interests of agriculture and municipal entities within the Southeastern District. From the inception of this Project, the City of Colorado Springs has been an active participant in the development of the project which has always included a pipeline to deliver both project and acquired non-project water from the Arkansas River to the City of Colorado Springs.

The costs of the Fry-Ark Project to El Paso County and Colorado Springs are significant. From 1959 through 2006, El Paso County has contributed \$65,317,360 to the administration and repayment of the Fry-Ark Project, an amount that is more than double the contributions of all other project participants combined. Last year alone, El Paso County contributed over 72% of the total valuations that go into funding the Project. The second largest contributor was Pueblo County which came in at 15%. As Colorado Springs and El Paso County continue to grow, our financial contributions to the Project will grow as well. I would like to submit to the record the accompanying document which details Southeastern Water Conservancy District's tax valuations. [Attachment A].

The return on El Paso County's investment in the project is significant as well. Of the project water that is stored in Pueblo Reservoir, 25% is released to the Fountain Valley Conduit for municipal use in El Paso County by the members of the Fountain Valley Authority; The City of Colorado Springs; The City of Fountain; The Security Water District; The Stratmoor Hills Water District; and Widefield Water District. The conduit became fully operational in 1985 and reached full conveyance in 2006 and is an important supply and delivery system for all of those communities.

The Fry-Ark Project is not today and never has been an irrigation-only project. It has always been a multiple-purpose project and Colorado Springs has an equal right to expect to receive all of the potential benefits that the project has to offer just as the other project supporters and beneficiaries do.

Though we have been very fortunate with the growth and prosperity of our community, we fully recognize how scarce water is in our arid climate. As a part of this recognition, Colorado Springs is one of the most aggressive and responsible cities in the entire Western United States when it comes to water conservation, and Colorado Springs has actually witnessed a gradual decline in single-family residential water consumption over the last 25 years.

Using the same methodology employed by Western Resource Advocates in a 2003 survey entitled "The Smart Water Report," Colorado Springs found that in 2001 its citizens used less gallons of water per day than residents in other areas in the intermountain West, besting cities like El Paso, Albuquerque, Boulder, Phoenix, Denver, Tempe, and Las Vegas. Since 2001, our per-capita use has continued to decline and last year our residential per-capita consumption was below 100 gallons per day.

This success is not an accident. It is the result of aggressive and innovative policies adopted by Colorado Springs that include citizen education; low-income conservation support; seasonal rates that discourage excessive outdoor watering during summer months; financial incentives for upgrading to more efficient appliances; and even adopting city codes that which require water-efficient landscaping on all new commercial, industrial and residential construction.

In addition to conservation, Colorado Springs is a leader in non-potable water reuse, whereby raw surface water and tertiary-treated effluent water is piped through an independent system to avoid using new freshwater supplies for irrigation. Colorado Springs boasts of one of the oldest non-potable systems in the West, which delivers on aggregate, more than 12,000 acre feet a year, accounting for 13% Colorado Spring's total water deliveries. Our non-potable system waters city parks, municipal cemeteries and golf courses, our power plant cooling towers, and outdoor areas at Fort Carson and the United States Air Force Academy. In fact, next year when the PGA US Senior Open is played at the world-famous Broadmoor golf course, it will be played on grass that has been irrigated by the Colorado Springs non-potable system. We are currently implementing plans to extend this valuable service to more and more regions or our city.

Yet, even as our per-capita water use declines, we are still seeing growth and this is putting pressure on our ability to deliver water. Part of the response to this pressure will be to squeeze even more out of our existing conservation plans and to implement new additional conservation methods. But conservation alone will still leave Colorado Springs well short of the water it needs to provide for the residents that will call Colorado Springs "home," over the next 40 years.

To meet our future demand we will once again be looking to our water in the Fry-Ark system, and are right now in the process of implementing a new water delivery pipeline known as the Southern Delivery System or SDS. Though we are still exploring the options of connecting a new pipeline from Pueblo Reservoir, like we currently have with the existing Fountain Valley Authority pipeline, or by building a pipeline further up the river in Fremont County, we expect to begin construction on the project by 2009.

The availability of a dependable and cost-effective water supply has propelled the growth and success of Colorado Springs and proves that, in many ways the Fry-Ark Project is working as it was **intended**. On August 17, 1962, in a speech made right here in Pueblo, Colorado, President John F. Kennedy said the following about the Fry-Ark project:

"This (project) is an investment in the future of this country, an investment that will repay large dividends. It is an investment in the growth of the West, in the new cities and industries which this project helps make possible."

Looking back almost 40 years now, President's Kennedy's words seem almost prophetic. The dividends of the investment in the Fry-Ark project are real. One needs

look no further than Colorado Springs to see how President Kennedy's vision for the growth of the West has come to fruition.

Unfortunately, while many aspects of the Fry-Ark project are working as they were intended, some unintended consequences have resulted from the success our cities and farms have realized over the past 40 years. As our cities have grown, tremendous strains have been placed on our water infrastructures. In Colorado Springs for example, we have in years past seen catastrophic weather events, and even vandalism plague our wastewater system, resulting in sewer overflows into Fountain Creek. While these disruptions were neither willful nor negligent, we as City have responded by investing over \$60 million in capital programs in upgrading our system and have built a new state-of-the-art treatment plant which comes on line this year and have a new, even more advanced regional plant on the drawing boards to accommodate future growth. Again in 2007 we estimate investing an additional \$25 million on capital projects in the wastewater collection system.

In spite of the having a better disruption record than most other wastewater utilities for a system of our size in the entire nation, we are constantly looking for innovative ways to prevent unintended spills from causing significant damage to our watersheds. I am proud to announce that next week, we will be inaugurating one of those innovations in the form of our Fountain Creek Recovery Project, a novel system whereby in the event of a wastewater spill, we will have the ability to capture the flow of the Fountain Creek, divert it to a holding pond, pump the water from the pond to one of our wastewater treatment facilities, while simultaneously releasing fresh water back into the creek.

Yet while municipal sewer systems receive more publicity, when it comes to the overall threats to water quality in a stream, non-point source discharges should be of a much greater concern. Non-point discharges from cities come in the form of urban stormwater runoff, which occurs when rainwater washes pollutants and sediments from impervious surfaces into storm drains. To better manage the impacts urban runoff has on Fountain Creek, Colorado Springs this past year adopted a stormwater enterprise where by approximately \$14.3 million a year will be collected from fees imposed on property owners to fund much needed capital improvements in our stormwater collection and management system.

However, urban stormwater runoff is only part of the story, and significant water quality issues surround runoff from agricultural development in the Arkansas basin. The US Army Corps of Engineers report on environmental baseline on the Fountain Creek cites the following finding from the US EPA on agricultural impacts on water quality:

“The most recent National Water Quality Inventory reports that on a national scale, agricultural NPS pollution is the leading source of water quality impacts to surveyed rivers and lakes . . . and also a major contributor to ground water contamination and wetlands degradation”

The Army Corps report goes on to identify Fountain Creek to be the most heavily impacted stream segment in El Paso and Pueblo Counties in terms of agriculture non-point source pollution.

In some ways, it is much easier for a large municipality like Colorado Springs to address its impacts on water quality than it is for an individual farmer or rancher. That is why we are hopeful as this subcommittee, the full Committee on Natural Resources, or any other Committee of the House or Senate examines how to manage the impacts growth has on both the quantity and quality of our water supplies, that it will pay special attention to helping the agricultural community mitigate its impacts on our rivers and streams.

It would be wrong to interpret this plain statement of the facts as an affront to the agricultural community or a dismissal of the plight of our farmers. Not only are we aware of the difficulties that global competition poses on our farmers, we are all too familiar our selves. Already this year, we have seen high tech manufacturers in Colorado Springs leave our city for foreign shores because the realities of global commerce mean their products can be made more cheaply abroad.

Instead of merely paying lip-service to the problems our farmer's face, we are instead forging new ground in Colorado and finding innovative ideas for farm and city to work together in meeting our mutual water needs. For our part, Colorado Springs is exploring a water leasing program with Arkansas Valley farmers, whereby irrigators would lease their water to cities during dry and less productive years. This would provide a much needed income source to the farmer, and a much needed water supply for a thirsty city when supplies are tight. The benefit is that the right to the water stays with the farmer and that right is loaned out when it serves the mutual benefit of both parties.

For all of the rhetoric and misinformation that has been spread about our City, the truth is that Colorado Springs has historically sought to avoid relying on the transfer of agricultural water rights to provide a water supply for the City. Far from seeking the demise of the Arkansas Valley agricultural economy, Colorado Springs is working hard to see a fallowing and leasing program developed which allows for the development of multiple-use of the Valley's water supplies.

At every turn the City of Colorado Springs has complied with the applicable laws of the United States and of the State of Colorado when it came to acquiring these water supplies. Each of our sources of supply is the subject of decrees and we are in compliance with the terms and conditions of those water rights decrees. Those decrees represent property interests of the citizens of the City of Colorado Springs and serve as the foundation of the City's health, safety and welfare. The problems of this Valley, this State and this Nation will never be solved by looking backward and conducting "what if" investigation of matters that are long past. True leadership requires us to identify the problems of the future and seek to solve those problems in order to better the condition of all citizens. Our resources must be spent planning for the future, not attempting to relive or reinvent the past.

In closing, let me say that the Fryingpan-Arkansas Project was developed to benefit all of the citizens within the Southeastern Colorado Water Conservancy District. It was not developed to benefit only the agricultural lands within the District, but to benefit municipal and industrial users as well. As the public body representing two-thirds of the citizens within the Southeastern Colorado Water Conservancy District, Colorado Springs is not embarrassed to suggest that its interests must be considered at the same time as all of the other Project beneficiaries and if consideration of enlargement of Pueblo Reservoir or other project facilities will benefit other entities then it should benefit Colorado Springs as well.

Increasing the usefulness of the Fryingpan-Arkansas Project for all of the citizens of the Southeast District should be considered a good thing, not a bad one. In the arid west we only succeed in serving the interests of our citizens when we work together to solve water resource problems. The politics of demonization have no place in these discussions. We should be seeking win-win solutions and we trust the Congress of the United States is also interested in solutions that benefit all of the citizens instead of a few. So as one of the initial project beneficiaries and as an entity that has been involved in the planning, development, construction and operation of the Fryingpan-Arkansas Project since its inception, we are proud of our role and look forward to working with our neighbors of good will in solving the issues we face in the future.

President Kennedy lauded the mutual effort and cooperation that went into building the Fry-Ark project as the stuff that makes America great. It took the joint effort of Colorado's municipal and agricultural interests to make the Fry-Ark a reality. It will take the joint effort of Colorado's municipal and agricultural interest to ensure the project continues to excel.

Again, I thank you for you invitation, and for taking such a keen interest in this project.