



March 30, 2017

Via eComment System:
<http://www.ferc.gov/docs-filings/ecomment.asp>

Secretary, Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: GROSS RESERVOIR HYDROELECTRIC PROJECT; Public Comments
Concerning the Project No. P-2035-099 – Application for Amendment of the
Hydroelectric License of the City and County of Denver, acting by and through its
Board of Water Commissioners

Dear Sir/Madam:

The Colorado River Water Conservation District (“River District”) hereby submits this comment letter in support of the Application for Amendment of the above-referenced Hydroelectric License for the City and County of Denver, acting by and through its Board of Water Commissioners (“Denver Water”).

The River District is a political subdivision of the State of Colorado charged with “the conservation, use, and development of the water resources of the Colorado river and its principal tributaries” and with promoting the welfare of the River District and its inhabitants. *See* C.R.S. § 37-46-101. The River District encompasses approximately 28,000 square miles covering all or part of 15 counties on Colorado’s West Slope, and is statutorily directed to “safeguard for Colorado, all water to which the State of Colorado is equitably entitled under the Colorado river compact.” *Id.* The River District has been recognized as the primary water policy agency in the State of Colorado with respect to the use of the headwaters of the Colorado River. *See Environmental Defense Fund, Inc. v. Castle*, 79 F.R.D. 235, 238 (D.C. Dist. Ct., 1978). The River District’s statutory role regarding the Colorado River (including its headwaters in the Fraser and Williams Fork River basins), plus the District’s long-standing and historically-contentious relationship with Denver Water make these comments particularly important.

Several years ago, the River District and 16 other governmental entities and water users on Colorado’s West Slope entered the Colorado River Cooperative Agreement (“CRCA”) with Denver Water. The CRCA resolved numerous controversies between the West Slope and Denver Water, and establishes numerous benefits for the West Slope. With particular relevance to Denver’s pending FERC application, the CRCA provides a series of benefits to address low-streamflow problems that arise in the headwaters of the Colorado River. Those benefits will improve the environmental health of the headwaters and will promote water-based recreation and

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tourism. The CRCA also will help numerous West Slope municipalities and water providers meet their water supply and infrastructure needs.

The CRCA paved the way toward a new relationship between Denver Water and the West Slope. In fact, over the past year or two, Denver Water has undertaken actions and spent funds toward environmental benefits and cooperative efforts in the headwaters that the CRCA does not currently require Denver to do. Thus, the benefits to the natural environment of the new West Slope-Denver relationship already are being realized.

For the reasons discussed in this letter, the River District hereby supports the issuance of a FERC license for Denver's Gross Reservoir Hydroelectric Project.

Sincerely,



Richard E. Kuhn,
General Manager

cc: James S. Lochhead, Manager, Denver Water
Patricia L. Wells, Esq., Denver Water