

Draining the bathtub

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The State of Wyoming wants to increase operational capacity at the Fontenelle dam on the Green River, a major tributary to the Colorado River.

Bureau of Reclamation

The Bureau of Reclamation announced on May 24 collaborative plans with the State of Wyoming to expand operational capacity at the Fontenelle Reservoir, a 20-mile-long body of water on the Green River, a tributary of the Colorado River. At the same time, the Wyoming Congressional delegation has introduced bills in both the U.S. House and Senate that, if passed, would allow the state to access additional water supplies to then contract out for industrial and commercial uses in the state. Not everyone is pleased with the idea.

Some critics of the proposal say it could allow a major new diversion of water

out of the Colorado River system, threatening the river's health and potentially water security throughout the West, as the region faces the worst drought conditions on record.

Under the Colorado River Compact, the Fontenelle Reservoir stores about 40 percent of Wyoming's water allocation. However, currently, the bottom 80,000 acre-feet of water stored in Fontenelle is not accessible without causing damage to the dam wall. For years, the State of Wyoming has been seeking to reinforce the upstream face of the dam by armoring it with boulders and other material known as riprap to prevent against erosion. Doing so would mean the reservoir could potentially be drained lower than it has ever been, making the bottom 80,000 acre-feet usable for the first time.

“The riprap would allow them to drain the reservoir and their water rights would allow them to drain it twice per year,” says Gary Wockner, president of Save the Colorado. “We oppose them reengineering this dam so they can drain 150,000 acre-feet of water out of the Green River every year. And that's what it would give them the opportunity to do.”

Wyoming state officials see it a little differently.

“The reality is that the structure has been there, the footprint has been there for decades, but the riprap has never been completed for the structure to be absolutely functional,” says Nephi Cole, policy advisor to Wyoming Governor Matt Mead. “The bathtub is already full, the only thing that putting [in] riprap does is allow you to lower water out of the bathtub.”

With lower-than-average snowpacks throughout the West in recent years, warming conditions and the driest 19-year period on record, the Bureau of Reclamation expects the demand for water to only increase in coming years. The agency is encouraging states dependent on the Colorado River — Wyoming, Colorado, New Mexico, Utah, Arizona, Nevada and California — to develop conservation and drought contingency plans to avoid crises. The river's two largest reservoirs at Lake Mead and Lake Powell are approaching

critically low levels. The Bureau estimates runoff from the Rocky Mountains into Lake Powell will only hit 42 percent of average this year, and by 2020, states will begin experiencing a water shortage as Lake Mead will be less than half full.

The Green River's source is in the Wind River Mountains in Wyoming, and it flows into western Colorado and the Colorado River system. As drought conditions increase, lower states could call on Wyoming to release more water into reservoirs down-river, which makes increasing operational capacity at Fontenelle an insurance policy for Wyoming water users, Cole says.

“By having all of these different systems at capacity, it does give us flexibility in drought planning to be able to meet our compact obligations to other states, while at the same time our commercial uses in Wyoming, whether agriculture or something else, that those uses remain viable,” he says.

Currently, nearby towns and the Seedska-dee Wildlife Refuge downstream hold rights to the water in Fontenelle Reservoir, as do a handful of companies for industrial uses such as cooling off a nearby coal-fired power plant, developing chemical fertilizer and fracking. Although none of these companies are currently drawing water from Fontenelle, they currently have contracts totaling almost 50,000 acre-feet and are making readiness-to-serve payments.

While the project would give the state capacity to use more of the water in Fontenelle Reservoir, Cole says there isn't currently a plan for it, and it doesn't create any new contracts for that water. If companies or other interests wanted access to more water they'd have to go through a permitting process.

Wyoming lawmakers at the state and federal levels have made it clear they want to keep options open for agricultural, municipal and industrial uses. Legislation currently being considered in Congress would allow the Bureau of

Reclamation to release more water out of the Fontenelle, creating potential for new commercial and industrial uses, but critics argue the project lacks adequate planning and could be too speculative to stand up against Western water law.

“All of their statements are really ambiguous in terms of what the water will be used for, which I find problematic, especially when you’re looking at the system as a whole,” says Rica Fulton, who manages the Upper Green River Network program for the Waterkeeper Alliance. She says negotiations over the project didn’t include enough stakeholders, and she raises concerns that oil and gas interests and other commercial uses are the main drivers behind the push for increased capacity at Fontenelle.

“This is them (the state) forward-thinking that they can expand fracking. That’s the current economic base that they are relying on and continue to rely on,” Fulton says. “I would hope [the federal government] would mandate an additional purpose and need study for the water and it can’t be speculative.”

The next step is for the state of Wyoming to apply for Reclamation funds to start the riprap project, which would trigger a federal environmental study and permitting process. Only after legislation passes in Congress could the Bureau consider releasing additional water into the Fontenelle.

“Before we turn a shovel full of dirt there will be a NEPA process,” says Wayne Pullan, area manager for the Provo region of the Bureau of Reclamation, which includes the Fontenelle. “We’re interested to see to what degree this is feasible, technically, financially, environmentally and legally, all those ways.”

The collaborative process, however, opens the door for potential new water supplies to be contracted and sold out of the already struggling Colorado River Basin.