Statement of Congressman Scott Tipton (CO-03)

Before the

House Appropriations Subcommittee on Energy and Water Development

Regarding Appropriations for the Arkansas Valley Conduit

March 07, 2017

I welcome this opportunity to appear before you, and thank you for your interest in the priorities of your colleagues as you make difficult decisions on infrastructure and program investment, particularly in the area of water resources.

The Third Congressional District in Colorado has partnered with the Bureau of Reclamation for at least seven decades, working together to develop hugely important and beneficial multi-use projects in southern and western Colorado. These projects have provided the necessary water supply which has sustained our agricultural, industrial, and recreation economies, and continue to help our small communities grow and prosper.

I am distinctly aware that the mission of the Bureau of Reclamation is changing, and that the construction of large water supply projects with all federal dollars is likely a thing of the past. But the partnership the Bureau has with local water districts and providers remains critical in the semi-arid West, where the development, conservation and management of this finite resource is absolutely essential.

Like the people of Flint, Michigan, the communities of the Lower Arkansas Valley in Southeastern Colorado deserve access to a safe, reliable source of drinking water. While the threat is not from lead, they face the daunting issue of naturally occurring, cancer-causing radioactive materials in drinking water supplied primarily from wells. The means to address this

problem is construction of the Arkansas Valley Conduit (AVC), an original feature of the Fryingpan-Arkansas Project, authorized in 1962.

The need for this local-federal partnership could not be clearer than in the pursuit of the Arkansas Valley Conduit. Since an amendment to that original authorization was enacted in 2009, this committee and the Administration have provided funding which completed the required environmental analysis and the ongoing feasibility work. The current schedule would likely allow for construction to begin in 2019 or 2020.

When completed, the AVC will serve 50,000 people who rely on nearly 40 water systems. This worthy project to protect rural America is sponsored by the Southeastern Colorado Water Conservancy District (District).

The need for the AVC was recognized when prominent local leaders from the Lower Arkansas Valley banded together in the 1930s. These visionary rural advocates recognized the need to improve their water supply, and that the effort to do so would be a long process. The plan then, as it is today, was to provide clean water to their citizens through a regional approach.

Currently, Lower Arkansas Valley residents get their water from small water systems, all with less than 5,000 customers and some with fewer than 100 taps, and all of them struggling to remain viable in a world where water quality standards are becoming ever more restrictive.

Most of the communities east of Pueblo rely on well water, because the surface flows in the Arkansas River are historically intermittent. The dissolved solids in both the surface and ground water are above the levels for human consumption at most times during the year, a problem that can be overcome by using Pueblo Reservoir as a source of clean water, as is planned with the AVC.

The alternative solution to remove these particles from the water is reverse osmosis, which some AVC participants are already employing. This is costly, energy intensive and produces by-products that require additional disposal methods.

More than one-third of the water systems in the Lower Arkansas Valley already are facing state enforcement actions, guided by federal EPA standards, for naturally occurring radioactive contaminants such as radium and uranium in their water supplies. Several others have elevated levels that do not violate state standards. Those communities could be forced to spend millions of dollars above and beyond the cost of the AVC until the pipeline is built.

More and more towns have found that their groundwater contains naturally occurring cancer-causing radioactive contaminants, such as radium and uranium.
A total of 14 towns have water supplies containing radioactive elements in concentrations that exceed primary drinking water standards, as mandated by the federal Safe Drinking Water Act.

The Colorado Department of Public Health and Environment (CDPHE) has notified these water providers (via enforcement actions) that they must treat water supplies to remove these contaminants or find a better quality water source.

Another seven water providers have elevated levels of naturally occurring radioactive elements, but do not currently violate CDPHE standards.

In addition, water providers in the lower Arkansas are generally having difficulty meeting non-mandatory secondary drinking water standards for salts and sulfate.

The median salts concentration over the past 40 years has been about 3,400 mg/L in lower Arkansas River Basin groundwater, which is nearly 7 times greater than the secondary drinking water standard. Like radionuclides, salts and sulfate are not removed by conventional water treatment methods.

The regional approach is the most cost-effective way to deal with this complex problem.

Were each of these small water providers to fix their water quality issues alone, the cost of meeting the federally mandated standard would cumulatively be much more than the cost of the regional conduit being developed.

However, recognizing the size and scope of the project, the District continues to work with Reclamation to improve both functional and fiscal efficiencies as the AVC nears its final design.

All of the participants of the project, as well as the District and Reclamation, have worked to contain costs for the AVC, by using some existing infrastructure and making appropriate modifications as the project is being designed.

In 2009, the Fry-Ark Project authorizing act was amended to provide that 35% of the construction cost of the AVC would be allocated to local beneficiaries for repayment. The legislation also provided for full repayment of federal costs through miscellaneous revenues from non-federal contracts for excess capacity or water right exchanges using Fry-Ark facilities. In this sense, this federal project would pay for itself over time, with no burden on the general fund of the United States.

Participants in the project continue to fund administration, planning and environmental compliance activities associated with the AVC through quarterly assessments. They remain committed to seeing the AVC built so that it can fulfill its purpose.

While this revenue stream is guaranteed, the District, in cooperation with the State of Colorado and the Bureau of Reclamation, continues to look at every method of reducing the overall cost of the project to build it in a fiscally responsible manner.

Please note that the Southeastern District, the State of Colorado and the Colorado congressional delegation are fully aware of the fiscal constraints we face, and of the changing mission of the Bureau.

To that end, we are working on meaningful cost-saving measures, including use of existing facilities for treatment and delivery wherever possible, and possible design-build processes. Both of these efforts will save money and deliver clean drinking water faster to the communities who desperately need it.

The people of the Lower Arkansas Valley deserve no less than that. It is for their health that the federal government creates water quality standards, and the federal government has a responsibility to help these communities meet those standards and protect these citizens.

I strongly urge my colleagues to continue to provide funding to move the Conduit into the construction phase as soon as possible. The people of the Lower Arkansas Valley deserve no less assistance in having a clean and safe drinking water supply, and in meeting a federally-mandated standard.