

1/29/04 Journal North
LANL Order
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the San Luis Valley Engineers Co. ...
offices had overstepped his authority for years by approving a well owners' plans to replace water. The judges said the plans must be approved in Water Court.

While Sowards advocates that approach in the San Luis Valley, others hope water users can sort out the problems on their own.

"That valley is a very, very important agricultural area. It produces some of the highest value crops in the state," said Jim Miller, policy director for the Colorado Department of Agriculture. "Nobody is looking forward to a legal challenge. It would certainly be in everybody's best interest to avoid that."

The San Luis Valley gets few-

er. In 10 inches of precipitation a year, it is one of the country's major potato producers and a breeding ground for waterfowl, thanks to extensive irrigation from the Rio Grande and wetlands fed by a massive underground water formation.

But the drought that has plagued Colorado the past few years has hit the valley particularly hard. Although the snowpack that feeds the rivers is deeper this year, it will take years to recharge ground water.

Colorado must also fulfill its share of a 1939 compact that entitles New Mexico, Texas and Mexico to water from the Rio Grande.

The Rio Grande Water Conservation District is trying to mediate the conflicts among

the valley's water users, said Monte Vista farmer Ray Wright, who heads the district's board.

The realization that too many people are drawing on the water prompted Wright to lobby for a plan to pay farmers to cut water use or idle their land. The goal was to recharge the aquifer. The money would have come from fees paid by farmers.

But not enough people supported the proposal. Ralph Curtis, the water district's general manager, said he hopes valley residents will wait for the results of a study designed in part to chart the impacts of wells.

"And if we get pretty decent runoff, people might slow down a little bit," Curtis said.

DOE Denies Leaving Talks

State-Fed Dispute Delays Cleanup

BY ADAM RANKIN
Journal Staff Writer

The head of the Energy Department's environmental management program says DOE did not walk away from talks with the state over a regulatory dispute on environmental issues at Los Alamos National Laboratory.

During a telephone interview last Friday, DOE's Jessie Roberson said the department and her environmental management program are committed to cleaning legacy wastes at LANL and wants to continue negotiations with the state Environment Department.

The state and DOE are locked in a regulatory dispute that is headed for arguments in federal district court, unless a resolution is soon reached. The state wants DOE to implement its plans for waste characterization and cleanup at LANL through a compliance order, while DOE and LANL want to follow their own plans that they say will save money and finish cleanup sooner.

"We didn't walk away from the (negotiating) table," Roberson said, referencing the state's decision in late December to

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JESSIE ROBERSON,
DOE ENVIRONMENTAL
MANAGEMENT PROGRAM

call off talks with DOE. Environment Department chief Ron Curry said talks have since resumed.

Curry singled Roberson out this week as the main reason negotiations with DOE have so far failed.

"Every agreement that we struck in good faith was summarily rejected by Jessie Roberson," he said.

Curry explained he called off talks with DOE when Roberson began referring to commitments made by officials in then-Gov. Gary Johnson's administration.

Roberson and Curry say they want to work together to reach agreement, and Curry said he is hopeful a resolution can be achieved outside of court.

"The reality is we still all have an obligation to the public and the taxpayer and will press on and are interested in work-

ing with the state," Roberson said.

Roberson also addressed the previous state Environment Department administration's acknowledgement that its compliance order, issued in November 2002, was written in part to ensure higher funding levels for LANL cleanup.

"I think it is a flawed strategy," Roberson said. "I think people have to weigh if getting more money has resulted in more environmental remediation."

A recent report by the research arm of Congress found that DOE sites in states that issued compliance orders with enforceable standards received the bulk of DOE's cleanup funding.

She said the goal for states should be to advance cleanup, not just bring in more money. Compliance agreements, she said, are designed to make sure DOE meets certain targets, but don't necessarily result in more cleanup.

"We are really focused on cleanup," she said.

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