

The Southwestern Water Conservation District
West Building, 841 E. 2nd Ave.
Durango, CO 81301

NOTICE IS HEREBY GIVEN
A Special Board Meeting of the
Southwestern Water Conservation District
will be held on

Thursday, March 02, 2023
12:00 p.m.

Video: [Click here to join Zoom](#)
Phone Number: (346) 248 7799
Meeting ID: 813 5451 4316
Passcode: 316817

Posted and Noticed Wednesday, March 1st, 2023

Tentative Agenda

In adherence with state and local health recommendations, participation in this meeting is available via Zoom only using the connection information above.

*Please text 307-630-1396 if you have difficulty joining the meeting. Please raise your hand to be recognized by the chair. To raise your hand by phone, dial*9. To raise your hand by computer, please use Alt+Y (Windows) or Option+Y (Mac). To mute and unmute by phone, dial *6.*

Except the time indicated for when the meeting is scheduled to begin, the times noted for each agenda item are estimates and subject to change. The Board may address and act on agenda items in any order to accommodate the needs of the Board and the audience. Agenda items can also be added during the meeting at the direction of the Board.

1. **Call to Order - Roll Call (12:00 p.m.)**
2. **Review and Approve Agenda (12:02 p.m.)**
3. **Questions & Comments from the Public (12:03 p.m.)**
4. **State Legislative Update & SWCD Position on Bills (12:05 p.m.)**
5. **Executive Session (as needed) (12:15 p.m.)**
5.1 Colorado River Compact, Interstate and Intrastate negotiation matters, including re-negotiation of the interim guidelines
6. **Summary and Any Action Items from Executive Session (12:31 p.m.)**
7. **Adjournment (12:45 p.m.)**

Upcoming Meetings

March 16, 2023	12:00 p.m.	Special Board Meeting
Mar 30, 2023	12:00 p.m.	Special Board Meeting
March 31, 2023	8:00 a.m.	Western Water Seminar

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0506.01 Jed Franklin x5484

HOUSE BILL 23-1065

HOUSE SPONSORSHIP

Story and Parenti,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S
102 JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL
103 GOVERNMENT OFFICIALS AND EMPLOYEES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, the independent ethics commission created in article XXIX of the state constitution does not have jurisdiction over officials or employees of special districts or school districts. The bill gives the independent ethics commission jurisdiction to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

issues concerning a local government official or local government employee. "Local government" is defined to include a county, municipality, special district, or school district. Existing ethical standards apply to a local government official and a local government employee. The bill applies those standards to a local government official or local government employee through the independent ethics commission.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-18.5-101, **add**
3 (1)(c), (1)(d), (1)(e), and (4.5) as follows:

4 **24-18.5-101. Independent ethics commission - establishment**
5 **- membership - subpoena power - definitions.** (1) As used in this
6 article, unless the context otherwise requires:

7 (c) "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPALITY,
8 SPECIAL DISTRICT, OR SCHOOL DISTRICT.

9 (d) "LOCAL GOVERNMENT EMPLOYEE" MEANS ANY TEMPORARY
10 OR PERMANENT EMPLOYEE OF ANY LOCAL GOVERNMENT, EXCEPT A LOCAL
11 GOVERNMENT OFFICIAL OR AN INDIVIDUAL WHO IS WORKING FOR THE
12 LOCAL GOVERNMENT AS AN INDEPENDENT CONTRACTOR.

13 (e) "LOCAL GOVERNMENT OFFICIAL" MEANS AN ELECTED OR
14 APPOINTED OFFICIAL OF A LOCAL GOVERNMENT BUT DOES NOT INCLUDE A
15 LOCAL GOVERNMENT EMPLOYEE.

16 (4.5) (a) "OTHER STANDARDS OF CONDUCT AND REPORTING
17 REQUIREMENTS AS PROVIDED BY LAW", AS THAT PHRASE IS USED IN
18 ARTICLE XXIX OF THE STATE CONSTITUTION AND THIS ARTICLE 18.5,
19 MEANS THE RULES OF CONDUCT AND ETHICAL PRINCIPLES APPLICABLE TO
20 LOCAL GOVERNMENT OFFICIALS AND LOCAL GOVERNMENT EMPLOYEES,
21 PURSUANT TO PART 1 OF ARTICLE 18 OF THIS TITLE 24.

22 (b) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS

1 PROVIDED BY LAW, THE COMMISSION MAY:

2 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
3 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE
4 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
5 REQUIREMENTS AS PROVIDED BY LAW INVOLVING LOCAL GOVERNMENT
6 OFFICIALS OR LOCAL GOVERNMENT EMPLOYEES; AND

7 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
8 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
9 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS
10 PROVIDED BY LAW INVOLVING LOCAL GOVERNMENT OFFICIALS OR LOCAL
11 GOVERNMENT EMPLOYEES.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2024 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0506.01 Jed Franklin x5484

HOUSE BILL 23-1065

HOUSE SPONSORSHIP

Story and Parenti,

SENATE SPONSORSHIP

(None),

House Committees

Transportation, Housing & Local Government
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE SCOPE OF THE INDEPENDENT ETHICS COMMISSION'S**
102 **JURISDICTION OVER ETHICS COMPLAINTS AGAINST LOCAL**
103 **GOVERNMENT OFFICIALS AND EMPLOYEES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, the independent ethics commission created in article XXIX of the state constitution does not have jurisdiction over officials or employees of special districts or school districts. The bill gives the independent ethics commission jurisdiction to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics

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Dashes through the words or numbers indicate deletions from existing law.*

issues concerning a local government official or local government employee. "Local government" is defined to include a county, municipality, special district, or school district. Existing ethical standards apply to a local government official and a local government employee. The bill applies those standards to a local government official or local government employee through the independent ethics commission.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-18.5-101, **add**
3 (1)(c), (1)(d), (1)(e), (1)(f), (1)(g), (1)(h), and (4.5) as follows:

4 **24-18.5-101. Independent ethics commission - establishment**
5 **- membership - subpoena power - definitions.** (1) As used in this
6 article, unless the context otherwise requires:

7 (c) "COVERED INDIVIDUAL" MEANS A LOCAL GOVERNMENT
8 OFFICIAL OR LOCAL GOVERNMENT EMPLOYEE.

9 (d) "LOCAL GOVERNMENT" MEANS A SPECIAL DISTRICT OR SCHOOL
10 DISTRICT.

11 (e) "LOCAL GOVERNMENT EMPLOYEE" MEANS ANY TEMPORARY
12 OR PERMANENT EMPLOYEE OF ANY LOCAL GOVERNMENT WHO IS HIRED BY,
13 DIRECTLY REPORTS TO, AND IS SUBJECT TO THE DIRECTION OF A LOCAL
14 GOVERNMENT'S BOARD, COMMISSION, OR OTHER GOVERNING BODY.

15 (f) "LOCAL GOVERNMENT OFFICIAL" MEANS AN INDIVIDUAL
16 ELECTED OR APPOINTED TO A LOCAL GOVERNMENT'S BOARD OR
17 COMMISSION OR OTHER MEMBER OF A GOVERNING BODY OF A LOCAL
18 GOVERNMENT.

19 (g) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED
20 AND EXISTING PURSUANT TO ARTICLE 30 OF TITLE 22.

21 (h) "SPECIAL DISTRICT" MEANS ANY QUASI-MUNICIPAL
22 CORPORATION AND POLITICAL SUBDIVISION ORGANIZED OR ACTING

1 PURSUANT TO THE PROVISIONS OF TITLE 32, AND DOES NOT INCLUDE ANY
2 ENTITY ORGANIZED AND ACTING PURSUANT TO THE PROVISIONS OF
3 ARTICLE 8 OF TITLE 29, ARTICLE 20 OF TITLE 30, ARTICLE 25 OF TITLE 31,
4 OR ARTICLES 41 TO 50 OF TITLE 37.

5 (4.5) (a) "OTHER STANDARDS OF CONDUCT AND REPORTING
6 REQUIREMENTS AS PROVIDED BY LAW", AS THAT PHRASE IS USED IN
7 THIS ARTICLE 18.5, MEANS THE RULES OF CONDUCT AND ETHICAL
8 PRINCIPLES APPLICABLE TO LOCAL GOVERNMENT OFFICIALS AND LOCAL
9 GOVERNMENT EMPLOYEES, PURSUANT TO PART 1 OF ARTICLE 18 OF THIS
10 TITLE 24, AND ETHICAL STANDARDS OF CONDUCT RELATING TO ACTIVITIES
11 THAT COULD ALLOW COVERED INDIVIDUALS TO IMPROPERLY BENEFIT
12 FINANCIALLY FROM THEIR PUBLIC EMPLOYMENT.

13 (b) IN ADDITION TO ANY OF ITS OTHER POWERS AND DUTIES AS
14 PROVIDED BY LAW, THE COMMISSION MAY:

15 (I) HEAR COMPLAINTS, ISSUE FINDINGS, AND ASSESS PENALTIES ON
16 ETHICS ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE
17 CONSTITUTION AND OTHER STANDARDS OF CONDUCT AND REPORTING
18 REQUIREMENTS AS PROVIDED BY LAW INVOLVING A COVERED INDIVIDUAL;
19 AND

20 (II) ISSUE ADVISORY OPINIONS AND LETTER RULINGS ON ETHICS
21 ISSUES ARISING UNDER ARTICLE XXIX OF THE STATE CONSTITUTION AND
22 OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS
23 PROVIDED BY LAW INVOLVING A COVERED INDIVIDUAL.

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.

First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0333.01 Jennifer Berman x3286

HOUSE BILL 23-1220

HOUSE SPONSORSHIP

Holtorf and McCormick, Bockenfeld

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A STUDY REGARDING THE ECONOMIC IMPACT OF THE
102 ELIMINATION OF LARGE-CAPACITY GROUNDWATER
103 WITHDRAWAL WITHIN THE REPUBLICAN RIVER BASIN, AND, IN
104 CONNECTION THEREWITH, REQUIRING THE COLORADO WATER
105 CENTER TO CONDUCT THE STUDY AND REPORT ITS FINDINGS AND
106 CONCLUSIONS TO CERTAIN LEGISLATIVE COMMITTEES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 1942, Colorado entered into an interstate compact (compact)

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with Nebraska and Kansas regarding the allocation of water from the Republican river basin (basin). Colorado ratified the compact in 1943. In 2016, Colorado, Nebraska, and Kansas signed a resolution (resolution) regarding a dispute about Colorado's compliance with the compact, through which resolution and its amendment Colorado agreed to retire 25,000 acres of irrigated acreage in the basin by 2029.

The bill requires the Colorado water center (center) in the Colorado state university to study the anticipated economic effects of the forced elimination of groundwater withdrawals within and surrounding the Colorado portion of the Republican river basin that could occur if Colorado fails to comply with the resolution. The center is required to prepare a progress report and, on or before January 1, 2026, a final report of the center's findings and conclusions from the study and to post both reports on the center's website. The center must present the progress and final reports to certain legislative committees.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-31-804 as
3 follows:

4 **23-31-804. Republican river groundwater economic study -**
5 **reporting - legislative declaration - definitions - repeal.** (1) THE
6 GENERAL ASSEMBLY FINDS AND DECLARES THAT:

7 (a) IN 1942, THE GENERAL ASSEMBLY RATIFIED THE REPUBLICAN
8 RIVER COMPACT, AN INTERSTATE COMPACT BETWEEN COLORADO,
9 NEBRASKA, AND KANSAS REGARDING THE ALLOCATION OF WATER AMONG
10 THE THREE STATES FROM THE REPUBLICAN RIVER;

11 (b) VARIOUS DISAGREEMENTS AND LITIGATION HAVE ARISEN
12 AMONG THE THREE STATES REGARDING THE USE OF WATER AS ALLOCATED
13 BY THE COMPACT;

14 (c) IN 2016, COLORADO, NEBRASKA, AND KANSAS, ACTING
15 THROUGH THE REPUBLICAN RIVER COMPACT ADMINISTRATION, ADOPTED
16 A SERIES OF RESOLUTIONS RESOLVING VARIOUS DISPUTES AMONG THE
17 THREE STATES;

1 (d) UNDER THE TERMS OF ONE OF THE RESOLUTIONS, COLORADO
2 AGREED TO REDUCE THE NUMBER OF ACRES IRRIGATED WITHIN AN AREA
3 OF THE REPUBLICAN RIVER BASIN KNOWN AS THE SOUTH FORK FOCUS
4 ZONE BY TWENTY-FIVE THOUSAND ACRES BY DECEMBER 31, 2029, WHICH
5 ACTION IS A SOLEMN OBLIGATION OF THE STATE;

6 (e) IF COLORADO FAILS TO MEET ITS OBLIGATION UNDER THE
7 TERMS OF THE SOUTH FORK FOCUS ZONE RESOLUTION, THE STATE
8 ENGINEER COULD BE REQUIRED TO CURTAIL ALL GROUNDWATER USE
9 SUBJECT TO THE REPUBLICAN RIVER COMPACT; AND

10 (f) IT IS APPROPRIATE FOR THE COLORADO WATER CENTER TO
11 STUDY THE ECONOMIC IMPACT THAT WILL RESULT IF COLORADO FAILS TO
12 MEET ITS OBLIGATION UNDER THE TERMS OF THE SOUTH FORK FOCUS ZONE
13 RESOLUTION AND THE STATE ENGINEER IS THEN REQUIRED TO CURTAIL ALL
14 LARGE-CAPACITY GROUNDWATER WITHDRAWALS WITHIN THE REPUBLICAN
15 RIVER BASIN.

16 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
17 REQUIRES:

18 (a) "AGRICULTURAL COMMITTEES" MEANS THE HOUSE OF
19 REPRESENTATIVES AGRICULTURE, WATER, AND NATURAL RESOURCES
20 COMMITTEE AND THE SENATE AGRICULTURE AND NATURAL RESOURCES
21 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

22 (b) NOTWITHSTANDING SECTION 23-31-801 (1), "COLORADO
23 WATER CENTER" OR "CENTER" MEANS THE INSTITUTE.

24 (c) "LARGE-CAPACITY GROUNDWATER WITHDRAWAL" MEANS THE
25 LAWFUL ABILITY TO WITHDRAW WATER IN AN AMOUNT OF MORE THAN
26 FIFTY GALLONS PER MINUTE FROM A WELL.

27 (d) "REPUBLICAN RIVER BASIN" HAS THE MEANING SET FORTH IN

1 SECTION 37-50-102 (5).

2 (e) "SOUTH FORK FOCUS ZONE RESOLUTION" OR "RESOLUTION"
3 MEANS THE 2016 REPUBLICAN RIVER COMPACT ADMINISTRATION
4 RESOLUTION SIGNED BY THE COMMISSIONERS OF THE REPUBLICAN RIVER
5 COMPACT ADMINISTRATION ON AUGUST 24, 2016, IN WHICH THE STATE
6 AGREED TO RETIRE TWENTY-FIVE THOUSAND ACRES OF ITS IRRIGATED
7 LANDS WITHIN THE SOUTH FORK FOCUS ZONE OF THE REPUBLICAN RIVER
8 BASIN, AND SUBSEQUENT RESOLUTIONS AMENDING THE TERMS OF THE
9 RESOLUTION.

10 (f) "STATE ENGINEER" MEANS THE STATE ENGINEER APPOINTED BY
11 THE GOVERNOR PURSUANT TO SECTION 37-80-101.

12 (g) "WATER RESOURCES AND AGRICULTURE REVIEW COMMITTEE"
13 MEANS THE WATER RESOURCES AND AGRICULTURE REVIEW COMMITTEE
14 CREATED IN SECTION 37-98-102 (1)(a)(I).

15 (3) ON OR BEFORE JANUARY 1, 2026, THE COLORADO WATER
16 CENTER SHALL COMPLETE A STUDY OF THE ECONOMIC IMPACT THAT WILL
17 RESULT IF COLORADO FAILS TO MEET ITS OBLIGATION UNDER THE TERMS
18 OF THE SOUTH FORK FOCUS ZONE RESOLUTION AND THE STATE ENGINEER
19 IS THEN REQUIRED TO CURTAIL ALL LARGE-CAPACITY GROUNDWATER
20 WITHDRAWALS WITHIN THE REPUBLICAN RIVER BASIN. IN CONDUCTING
21 THE STUDY, THE COLORADO WATER CENTER SHALL EXAMINE THE
22 ECONOMIC IMPACT TO THE AREAS OF COLORADO, NEBRASKA, AND
23 KANSAS AFFECTED BY THE REPUBLICAN RIVER BASIN.

24 (4) THE CENTER SHALL:

25 (a) PREPARE A PROGRESS REPORT OF THE STUDY CONDUCTED
26 PURSUANT TO THIS SECTION AND PRESENT THE PROGRESS REPORT TO A
27 JOINT COMMITTEE OF THE AGRICULTURAL COMMITTEES DURING THE JOINT

1 COMMITTEE'S 2025 HEARING HELD PURSUANT TO SECTION 2-7-203 OF THE
2 "SMART ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE CENTER SHALL
3 SUBMIT A COPY OF THE PROGRESS REPORT TO THE WATER RESOURCES AND
4 AGRICULTURE REVIEW COMMITTEE AND, UPON REQUEST OF THE
5 COMMITTEE, PRESENT THE PROGRESS REPORT TO THE COMMITTEE.

6 (b) ON OR BEFORE JANUARY 1, 2026, PREPARE A FINAL REPORT OF
7 THE FINDINGS AND CONCLUSIONS FROM THE STUDY AND POST THE FINAL
8 REPORT ON THE CENTER'S WEBSITE; AND

9 (c) DURING THE 2026 CALENDAR YEAR, PRESENT THE FINAL
10 REPORT:

11 (I) TO THE WATER RESOURCES AND AGRICULTURE REVIEW
12 COMMITTEE; AND

13 (II) TO THE JOINT COMMITTEE OF THE AGRICULTURAL
14 COMMITTEES.

15 (5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2027.

16 **SECTION 2. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, or safety.

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 23-0396.02 Sarah Lozano x3858

HOUSE BILL 23-1221

HOUSE SPONSORSHIP

Soper and Mauro, Marshall

SENATE SPONSORSHIP

Simpson,

House Committees
Energy & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING DATA STANDARDS FOR THE DETERMINATION OF A TOTAL**
102 **MAXIMUM DAILY LOAD FOR STATE WATERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the division of administration in the department of public health and environment, on and after January 1, 2024, to use quality-assured data to determine the maximum amount of a pollutant that can be discharged daily into state waters without exceeding applicable water quality standards.

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Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-8-103, **add** (17.3)
3 and (19.5) as follows:

4 **25-8-103. Definitions.** As used in this article 8, unless the context
5 otherwise requires:

6 (17.3) "QUALITY-ASSURED DATA" MEANS SCIENTIFICALLY
7 ACCURATE DATA RELATED TO WATER QUALITY THAT HAS BEEN
8 COLLECTED IN THE LAST FIVE YEARS OR IN THE MOST RECENT PERIOD OF
9 TIME IN WHICH COMPARABLE DATA WAS ANALYZED, WHICHEVER IS LATER,
10 AND THAT COMPLIES WITH:

11 (a) THE COMMISSION'S RULES PURSUANT TO THIS ARTICLE 8,
12 INCLUDING THE COMMISSION'S RULES REGARDING HOW WATER QUALITY
13 DATA IS COLLECTED, ANALYZED, AND ASSESSED; AND

14 (b) FEDERAL AND STATE GUIDANCE ON WATER QUALITY DATA
15 COLLECTION BEST PRACTICES, RELIABLE ANALYTICAL METHODS, AND
16 DATA QUALITY ASSURANCES.

17 (19.5) "TOTAL MAXIMUM DAILY LOAD" MEANS THE CALCULATION
18 OF THE MAXIMUM AMOUNT OF A POLLUTANT THAT CAN BE DISCHARGED
19 DAILY INTO STATE WATERS WITHOUT EXCEEDING AN APPLICABLE WATER
20 QUALITY STANDARD.

21 **SECTION 2.** In Colorado Revised Statutes, 25-8-501, **add** (7) as
22 follows:

23 **25-8-501. Permits required for discharge of pollutants -**
24 **administration - total maximum daily load.** (7) ON AND AFTER
25 JANUARY 1, 2024, IN DETERMINING A TOTAL MAXIMUM DAILY LOAD FOR
26 STATE WATERS, THE DIVISION SHALL USE QUALITY-ASSURED DATA TO

1 ESTABLISH THAT THE TOTAL MAXIMUM DAILY LOAD IS CALCULATED WITH
2 COMPREHENSIVE GEOGRAPHIC AND HYDROGEOLOGIC ACCURACY.

3 **SECTION 3. Act subject to petition - effective date.** This act
4 takes effect January 1, 2024; except that, if a referendum petition is filed
5 pursuant to section 1 (3) of article V of the state constitution against this
6 act or an item, section, or part of this act within the ninety-day period
7 after final adjournment of the general assembly, then the act, item,
8 section, or part will not take effect unless approved by the people at the
9 general election to be held in November 2024 and, in such case, will take
10 effect on the date of the official declaration of the vote thereon by the
11 governor.