

Colorado Water Congress
State Affairs Committee Meeting
Report prepared by Bruce Whitehead
Sponsored by the Southwestern Water Conservation District

April 6, 2015 Water Legislation Report #14 (2015 Legislative Session)

The State Affairs Committee met on Monday, April 6, 2015 to discuss water legislation introduced during the 2015 Session. Discussion occurred, or action was taken on the bills included in the summary below. All legislation considered by the Water Congress is included in this week's report, and once the State Affairs Committee has taken action on a bill it will be moved to the status sheet the following week. There will be not be a meeting of the State Affairs Committee next Monday on April 13, 2015, and the next meeting will be scheduled as needed. A Legislative Report will be sent out after the next meeting, which is yet to be determined.

Other legislation introduced, or requested for discussion or action, since the last meeting: **None.**

Proposed Legislation: **None.**

The format of each bill includes five columns and a following **Summary** cell. The 1st, 2nd, 4th, & 5th column each contain two information items as follows: 1st column has both the **Bill No.** and the **Short Title**. The 2nd column has both the **Sponsors** and the assigned **Committee**. The 3rd column contains only the **Concerning** statement, copied directly from the bill. The 4th column will show important **Amendments** and **Comments** provided by either me or John Porter. The 5th column shows both **When Introduced** and **CWC Action**. Once a bill no longer requires SA Comm action I will include it in a summary table, which will also show its progress. Until CWC takes action, the bill will remain in this format. I will however, **highlight in yellow** changes in any of the cells, compared to the prior report. Once CWC has acted on a bill, it will be moved to the **Status table**, where its progress can be more easily monitored.

If you are aware of other entities that would like to receive these reports, please contact the Southwestern Water Conservation District office at 970-247-1302 and provide your e-mail.

Once introduced, copies of bills are available at www.leg.state.co.us. Additional info is available at the CWC web site: <http://www.cowatercongress.org/stateaffairs/>

FYI: Legislator Contact Information

Senator Ellen Roberts:	303-866-4884	ellen.roberts.senate@state.co.us
Representative J. Paul Brown:	303-866-2914	jpaul.brown.house@state.co.us
Representative Don Coram:	303-866-2955	don.coram.house@state.co.us

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
SB 224 Building Foundation Well Permit Exemption	S Sonnenberg H N/A Ag, Nat'l Resources, & Energy	CONCERNING A PERMITTING EXEMPTION FOR SYSTEMS THAT REMOVE GROUNDWATER FROM SOILS THAT ARE ADJACENT TO FOUNDATIONS.	2/3 majority not achieved by State Affairs Committee for position on the legislation.	03/20/15 NO POSITION

SUMMARY: Current law requires a permit to drill a water well. Section 1 of the bill **specifies** that neither a permit nor a replacement plan is needed for a system in a designated groundwater basin that collects and **removes** groundwater for the purpose of facilitating the use of land that would otherwise be adversely affected due to the presence of groundwater if the system does not penetrate a confining layer, and the farthest point of the collection system is no more than 10 feet from a building's foundation, the removed groundwater is not used for purposes other than collecting and removing groundwater from soils that are adjacent to a building's foundation, and the removed groundwater is returned directly into the aquifer. Section 2 **makes** an analogous exemption for areas of the state outside of designated groundwater basins.

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
<p>SB 253</p> <p>CO Water Conservation Board Construction Fund Project</p>	<p>S Sonnenberg H Vigil</p> <p>Ag, Nat'l Resources, & Energy</p>	<p>CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.</p>		<p>03/27/15</p> <p>SUPPORT</p>
<p>SUMMARY: The bill appropriates the following amounts from the Colorado water conservation board (CWCB) construction fund for the following projects:</p> <ul style="list-style-type: none"> • \$330,000 for continuation of the satellite monitoring system maintenance (section 1 of the bill); • \$500,000 for continuation of the Colorado floodplain map modernization program (section 2); • \$1,500,000 for continuation of the watershed restoration program (section 3); • \$1,000,000 for the operation and maintenance of the Arkansas river decision support system (section 6); • \$500,000 for technical assistance for the USDA regional conservation partnership program (section 7); • \$100,000 for water conservation planning and data tracking tools (section 8); • \$150,000 for support of the Colorado Mesonet project (section 9); • \$1,200,000 for participation in the development of modern tools and methods for determining large rain events for regulating and designing dam spillways (section 10); • \$175,000 for continuation of the weather modification program (section 11); and • \$125,000 for South Platte river basin groundwater level data collection, analysis, and remediation (section 12). <p>The bill also directs the state treasurer to transfer moneys on July 1, 2015, from the CWCB construction fund to restore the unencumbered balance in the following funds to the following amounts:</p> <ul style="list-style-type: none"> • \$500,000 for the flood and drought response fund (section 4); and • \$200,000 for the litigation fund (section 5). <p>Additionally, section 13 transfers the following amounts from the severance tax operational fund to the CWCB construction fund for the following purposes:</p> <ul style="list-style-type: none"> • \$1,000,000 for the CWCB to continue the watershed restoration program as specified in section 3; and • \$1,200,000 for the CWCB to participate in the development of modern tools and methods for determining large rain events for regulating and designing dam spillways as specified in section 10. <p>Section 14 transfers \$500,000 from the severance tax perpetual base fund to the CWCB construction fund for the CWCB to continue the watershed restoration program as specified in section 3;</p> <p>Section 15 extends the stream restoration grant account in the flood and drought response fund to remain effective until July 1, 2017; and</p> <p>Finally, section 16 accounts for variation in the amount of money loaned for the Chatfield reallocation project in 2014 by acknowledging ordinary fluctuations in cost based on distribution of project ownership.</p>				

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
<p>HB 1278 Use Ag Water Rights To Cultivate Marijuana</p>	<p>H Vigil S N/A Ag, Livestock, & Nat'l Resources</p>	<p>CONCERNING THE USE OF AGRICULTURAL WATER RIGHTS TO CULTIVATE MARIJUANA WITHOUT THE NEED FOR A CHANGE OF WATER RIGHT.</p>	<p><i>Bill to be withdrawn by Sponsor, after "Written Instruction and Order 2015-01" issued by State Engineer regarding administration of water rights decreed for irrigation.</i></p>	<p>03/09/2015 NO ACTION</p>
<p>SUMMARY: The bill specifies that using a water right that has been decreed for agricultural irrigation purposes for the cultivation of marijuana at a retail or medical marijuana cultivation facility is not a change of a water right if the use of the water is required for the cultivation of marijuana as contemplated or required by the facility's license.</p>				