

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

January 5, 2016 Water Legislation Report # 1 (2016 Legislative Session)

The State Affairs Committee met on Tuesday January 5, 2016 to review bills approved by the Water Resources Review Committee (Interim Committee) and other proposed legislation, and to discuss State Affairs Committee procedures and committee rules in preparation for the 2016 Legislative Session. On October 29, 2015, the Interim Committee approved three bills (all Resolutions) of the eight draft bills considered by the Committee. The three Resolutions required a 2/3 majority to move forward as legislation to be introduced early in the 2016 session. The Second Regular Session of the Seventieth General Assembly will convene on January 13, 2016. No official position was taken on the Interim bills by the Water Congress, but since the proposed bills have now been on the agenda for discussion at one State Affairs meeting, they could be scheduled for action at the next committee meeting set for Tuesday January 19, 2015. A number of other proposed concepts or draft legislation were also discussed at the meeting, and are listed below under Proposed Legislation. The summary of the Water Resources Review Committee Resolutions is included in this report.

The Interim Committee bills are listed as **(Draft Resolution 2, 3, and 6)**. These bills are yet to be introduced, so bill numbers or committee assignments have not been made at this point.

Proposed Legislation: Other Bills that were under consideration by the Water Resources Review Committee, but will not be introduced as Interim Bills include: **Draft Bill 1** (State Engineer Statute Cleanup) **Draft Bill 4** (Transfer Authority to Approve Water Projects to State Engineer) **Draft Bill 5** (Expedite State Permitting Process for Water Storage Projects) **Draft Bill 7** (Rain Harvesting) and **Draft Bill 8** (Additional Enforcement Against Stealing Water). It is possible that these bills could be introduced during the session by individual legislators. The State Affairs Committee also discussed other possible legislation for 2016 regarding; *rain barrels/small scale precipitation storage, storage on the South Platte, flexible use/flex bill, groundwater rules, watershed legislation, accounting for water losses in municipal system, open records, nutrient resolution, and water rights protection act.* Drafts of these bills were not available prior to the State Affairs meeting, so they are not included in the summary provided below.

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, I will move it 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 with e-mail contact information.

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
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Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
Draft Resolution 2 Timely Access to Federal Lands for Dam Restoration	H Coram/Mitsch-Bush S Baumgardner N/A	CONCERNING TIMELY ACCESS TO FEDERAL LANDS FOR DAM RESTORATION PROJECTS.	<i>Water Resources Review Committee.</i>	N/A DISCUSSION
SUMMARY: Water Resources Review Committee. A Resolution; “That we, the members of the Colorado General Assembly, urge federal agencies, specifically the United States Forest Service and the Bureau of Land Management, to respond promptly to requests for permission to access a dam located on federal land when the purpose of accessing the dam is to maintain, repair, or rehabilitate the dam.”				
Draft Resolution 3 Wildfire Funding	S Jones/Roberts H Coram/Vigil N/A	CONCERNING THE NEED FOR CONGRESS TO FUND CATASTROPHIC WILDFIRE RESPONSE COSTS OUTSIDE OF FEDERAL FOREST MANAGEMENT AGENCIES' NORMAL BUDGETS.	<i>Water Resources Review Committee.</i>	N/A DISCUSSION
SUMMARY: Water Resources Review Committee. A Resolution; “That Congress should enact laws necessary to protect federal land management agencies' ability to mitigate the risk of catastrophic wildfires and manage the lands within their jurisdiction by funding catastrophic wildfire response in a manner analogous to that used for natural disasters.”				
Draft Resolution 6 Good Samaritan Protections	S Roberts H Coram/Mitsch-Bush N/A	CONCERNING PROTECTION FROM LIABILITY FOR VOLUNTARY RECLAMATION OF ABANDONED HARD ROCK MINES.	<i>Water Resources Review Committee.</i>	N/A DISCUSSION
SUMMARY: Water Resources Review Committee. A Resolution; “That we, the members of the Colorado General Assembly, urge Congress to pass legislation establishing a Good Samaritan exemption from liability under the CWA and CERCLA as an important step toward preventing another disaster like the Gold King Mine spill and remediating all other draining abandoned hard rock mines in Colorado.”				
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