

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

May 4, 2017 Water Legislation Report #16(a) Updated (2017 Legislative Session)

*Legislative Report #16(a) is intended to be an **update and correction to Legislative Report #16** from May 4, 2017. A **correction** was needed on Page 4 of the report under **HB 1366** (Measurable Goals Deadlines Colorado Climate Action Plan), where the CWC position was incorrectly listed as “Support” and should have been **“Discussion”** since the CWC took no action on the bill on Monday. The bill was heard on May 4 in the House Health, Insurance, and Environment Committee and **passed out of committee with no amendments on a 6-5 vote**, so will move on to the floor of the House for consideration. Since the end of the session is near, things can move very quickly and a short update on other legislation the CWC State Affairs Committee has considered is warranted. **HB 1289** (State Engineer Rules Historical Consumptive Use) had a strike below amendment in the Senate Ag Committee on May 3 to be **studied and further discussed by the Interim Water Committee** this summer. The amendment passed without opposition, and is on the Consent Calendar for 2nd Reading on Friday May 5 in the Senate. **HB 1289** (Alternate Storage Not Changed if Already Qualified) passed the Senate as amended and is **headed to the Governor for action**. **HB 1364** (Authority Local Government Master Plan Include Water Plan Goal) was **PI’d (Postponed Indefinitely)** in the House Ag Committee on Monday May 1, and **SB 290** (Engineer Excavator Stamp Plan Underground Facility) was **PI’d** in the Senate Transportation Committee on Tuesday May 2.*

The State Affairs Committee met on Monday, May 1 to review proposed legislation. The Committee did not meet the previous week, since there were no new bills that had been introduced. Water related legislation introduced or requested for consideration since the previous meeting includes: **HB 1364** (Local Government Master Plan to Include Water Plan Goal), **HB 1366** (Measurable Goals Deadlines Colorado Climate Action Plan), and **SB 290** (Engineer Excavator Stamp Plan Underground Facility). The next meeting of the State Affairs Committee is tentatively scheduled for next Monday May 8, 2017 on an as needed basis. The First Regular Session of the 71st General Assembly is scheduled to adjourn on Wednesday May 10, 2017.

There was additional discussion on **SB 40** (Public Access to Electronic Files), and new concerns have been raised by the Department of Health about chemical storage. The infrastructure security amendment proposed by CWC and adopted in the Senate, is critical to the Water Congress change to a position of SUPPORT. If the amendment is removed, the official position of the CWC will be to oppose the bill. The CWC staff will continue to monitor this bill and the amendments, and at this point it is not clear if the concerns raised by the Department of Health will have an impact on the CWC amendment.

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**. The 5th column shows both **When Introduced**, **CWC Action**, and **SWCD Position**. 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 or individuals 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 Don Coram (SD 6):	303-866-4884	don.coram.senate@state.co.us
Representative Barbara McLachlan (HD 59):	303-866-2914	barbara.mclachlan.house@state.co.us
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Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action / SWCD Position
<p>SB 290</p> <p>Engineer Excavator Stamp Plan Underground Facility</p>	<p>S Donovan & Scott H N/A</p> <p>Transportation</p>	<p>CONCERNING A REQUIREMENT THAT ENGINEERING PLANS INVOLVING EXCAVATION PROVIDE DETAILED INFORMATION ABOUT THE LOCATION OF UNDERGROUND FACILITIES.</p>	<p><i>Pl'd Senate Transportation 5/2.</i></p>	<p>04/19/17</p> <p>DISCUSSION</p> <p>SWCD Position: DISCUSSION</p>
<p>SUMMARY: Current law requires engineering plans involving excavation to include only general information about the location of underground facilities, and the excavator is the party with the duty to seek specific information about these facilities' locations. The bill requires:</p> <ul style="list-style-type: none"> - Engineering plans involving excavation to include specific information about the location of underground facilities; - Engineers to use their official stamps on the plans; and - The stamped plans to be given to the person who will conduct the excavation. 				
<p>HB 1291</p> <p>Alternate Storage Not Changed If Already Qualified</p>	<p>H Arndt, J Becker S N/A</p> <p>Ag, Livestock & Natural Resources</p>	<p>CONCERNING THE ABILITY TO STORE WATER AT AN ALTERNATE PLACE OF STORAGE IF THE HISTORICAL CONSUMPTIVE USE OF THE WATER RIGHT HAS ALREADY BEEN QUANTIFIED IN A PREVIOUS CHANGE OF THE WATER RIGHT.</p>	<p><i>Passed Senate headed to Governor for action.</i></p>	<p>03/24/17</p> <p>NO POSITION</p> <p>SWCD Position: DISCUSSION</p>
<p>SUMMARY: Current law allows water to be stored only at a location that has been specifically identified in a decree. The bill allows a water right for which the historical consumptive use was previously quantified to be stored in any reservoir, without the necessity of adjudicating an additional change of water right, if:</p> <ul style="list-style-type: none"> - The water will be diverted from a point of diversion that has already been decreed for that water right; - Previous notice is given to the division engineer; - Transit and ditch losses are assessed from the decreed point of diversion to the alternate place of storage; and - The division engineer approves the proposed accounting of the storage. 				

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action / SWCD Position
<p>HB 1364</p> <p>Authority Local Government Master Plan Include Water Plan Goal</p>	<p>H Arndt, Hansen S N/A</p> <p>Ag, Livestock & Natural Resources</p>	<p>CONCERNING THE AUTHORITY OF A LOCAL GOVERNMENT MASTER PLAN TO INCLUDE POLICIES TO IMPLEMENT STATE WATER PLAN GOALS AS A CONDITION OF DEVELOPMENT APPROVALS.</p>	<p><i>PP'd House Ag 5/1.</i></p>	<p>04/27/17</p> <p>DISCUSSION</p> <p>SWCD Position: DISCUSSION</p>
<p>SUMMARY: The bill authorizes a local government master plan to include goals specified in the state water plan and to include policies that condition development approvals on implementation of those goals.</p>				
<p>HB 1366</p> <p>Measurable Goals Deadlines Colorado Climate Action Plan</p>	<p>H Arndt, Winter S N/A</p> <p>Health, Insurance, and Environment</p>	<p>CONCERNING A REQUIREMENT TO INCLUDE MEASURABLE GOALS THAT ARE SUBJECT TO DEADLINES IN COLORADO'S CLIMATE ACTION PLAN.</p>	<p><i>Passed out of House Committee on 5/4, and headed to floor for consideration. Possible CWC action 5/8.</i></p>	<p>04/27/17</p> <p>DISCUSSION</p> <p>SWCD Position: DISCUSSION</p>
<p>SUMMARY: The bill requires:</p> <ul style="list-style-type: none"> - The state climate action plan to include specific, measurable goals, the achievement of which will both reduce Colorado's greenhouse gas emissions and increase Colorado's adaptive capability to respond to climate change, along with associated near-term, mid-term, and long-term deadlines to achieve the goals; and - The annual climate report to the general assembly to include an analysis of the progress made in meeting the measurable goals and deadlines specified in the plan. 				