

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

February 24, 2014 Report #8 Water (2014 Legislative Session)

The State Affairs Committee met on Monday February 24, 2014 to discuss water legislation introduced during the 2014 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. The State Affairs Committee will not meet next week unless there is new legislation introduced, or additional work that is needed on bills that are already pending. The next scheduled meeting of the State Affairs Committee is Monday March 10, 2014.

There are a number of water related bills that have been introduced, and many of the bills have now been passed out of Committees and are now being debated on the floor of the House or the Senate. Legislation introduced, and requested for discussion or action since the last State Affairs meeting include: **HB 1150** – (State & Local Government Coordination Regarding Federal Land Decisions), but the bill was **PI'd (Postponed Indefinitely)** in the Appropriations Committee last Friday and was dropped from agenda. **SB 017** (Lawn Legislation) was added to the agenda for possible **reconsideration** due to the “strike below” amendment that refers the concept to the Water Resources Review Committee with the possibility of future legislation regarding outdoor water conservation in the next legislative session. The strike below version of the bill passed the Senate on 2nd Reading last week, with a final vote in the Senate anticipated this week. The State Affairs Committee did reconsider the bill, and voted to **Support** the amended version of SB 017.

Proposed Legislation: It is anticipated that the Colorado Water Conservation Board (CWCB) will introduce their annual project and funding bill in the next two weeks. Also, the Central Colorado Water Conservancy District has been working on legislation that would implement many of the recommendations from the South Platte Groundwater Study (HB 1278) from the 2012 Session.

Please Note: The CWC received notice that Phil Doe and Barbara Mill-Bria (BOR employee) filed **Initiative 73, “The State’s Duties Under the Public Trust Doctrine to Secure the Rights of the People to Protect Natural Resources”**. **The initiative was withdrawn** prior to the Review and Comment hearing scheduled for February 21, possibly due to a memo sent to the proponents regarding the impacts to **water** rights. **It is very likely that another version of the Public Trust Doctrine will be filed in the near future.**

The Colorado Water Congress launched the Colorado Water Stewardship Project last year to prepare for the anticipated Public Trust Doctrine ballot proposal. All water interests in Colorado should become educated about the adverse impacts to our current water rights system and to the Doctrine Of Prior Appropriation if a Public Trust ballot measure were to be successful. Learn more at <http://cowaterstewardship.com/>

Other Ballot Initiatives have been introduced, withdrawn, and refiled include; **Right to Local Self Government** (Initiative 63 to 70 to 72 to **75**), **Recall of State and Local Officers** (Initiatives 69 to 71 to **76**), and Initiative **79** that would require a **2/3 vote** rather than a simple majority to **retain judges**. All of these Ballot Initiatives will continue to be monitored and discussed by the State Affairs Committee.

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
Representative Mike McLachlan: 303-866-2914
Representative Don Coram: 303-866-2955

ellen.roberts.senate@state.co.us
mike.mclachlan.house@state.co.us
don.coram.house@state.co.us

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
SB 017 Limit Use Of Ag Water For Lawn Irrigation	S Roberts/Hodge H Coram/Vigil Ag, Nat'l Resources, & Energy	CONCERNING A LIMITATION ON THE APPROVAL OF REAL ESTATE DEVELOPMENTS THAT USE WATER RIGHTS DECREED FOR AGRICULTURAL PURPOSES TO IRRIGATE LAWN GRASS.	<i>Strike below amendment, refers to Water Resources Review Committee. State Affairs reconsidered position on 2/24/14. Changed from OPPOSE bill as introduced, to SUPPORT of amended "strike below" version.</i>	01/08/14 SUPPORT (Amended Version)
<p>SUMMARY: The bill prohibits a local government from approving an application for a development permit unless the local government has adopted an enforceable resolution or ordinance that limits, as a prerequisite for approval of the development permit, the amount of irrigated grass on residential lots in the development to no more than 15% of the total aggregate area of all residential lots in the development. "Irrigated" means supplied with water for lawn grass and does not include the use of raw water for irrigation. The 15% limit applies only if any part of the water supply for the development is changed from agricultural irrigation purposes to municipal or domestic use on or after January 1, 2016.</p>				
SB 145 Water Conservation Incentives	S Hodge/Roberts H N/A Ag, Nat'l Resources, & Energy	CONCERNING INCENTIVES FOR THE CONSERVATION OF WATER.	<i>Motion made and seconded to Monitor, but substitute motion was made to Oppose the bill "unless amended to refer issue to Interim Water Resources Review Committee". Substitute motion passed on 18-8 vote (2/3 majority required)</i>	02/13/14 OPPOSE (Unless Bill is Amended to Refer to Water Resources Review Committee)
<p>SUMMARY: The bill requires certain local governments to consider whether tap fees should be reduced if a developer commits to the implementation of water efficiency and conservation measures with regard to irrigated landscapes, including open space and residential lawns, within the subdivision. Section 1 applies to counties, section 2 applies to municipalities, and section 3 applies to special districts that supply water. Sections 1 and 2 also prohibit county and municipal subdivision regulations from mandating a minimum percentage of a subdivision that must consist of irrigated vegetation or requiring the irrigation of medians. Section 4 directs the Colorado water conservation board, in its awards of incentive grants for the design and implementation of water efficiency and conservation measures, to give priority to public agencies that require new subdivisions to implement water efficiency and conservation measures with regard to irrigated landscapes, including open space and residential lawns.</p>				

Bill No. Title	Sponsors Committee	Concerning	Amendments Comments	When Introduced CWC Action
SB 147 Increased Well Pumping Study South Platte River	S Renfroe H Fischer/Saine Ag, Nat'l Resources, & Energy	CONCERNING A STUDY TO DETERMINE THE IMPACT OF INCREASED ALLUVIAL WELL PUMPING IN DISTRICT 2 OF WATER DIVISION 1.		02/17/14 OPPOSE
SUMMARY: The bill authorizes the state engineer to conduct a study to determine the impact of increased alluvial well pumping in district 2 of water division 1 on surface stream flows in the South Platte river and alluvial levels in the South Platte alluvial aquifer.				