

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 25, 2015
Date

Committee on Agriculture, Livestock, & Natural Resources.

After consideration on the merits, the Committee recommends the following:

HB15-1167 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 37-60-115, add (10)
4 as follows:

5 **37-60-115. Water studies - rules - repeal. (10) South Platte**
6 **river basin storage study.** (a) THE BOARD, USING INFORMATION
7 ALREADY COMPILED BY THE DRAFT COLORADO WATER PLAN AND THE
8 SOUTH PLATTE BASIN ROUNDTABLE CREATED IN SECTION 37-75-104 (3)
9 (b) (I), AND DIRECTLY COMMUNICATING WITH THAT BASIN ROUNDTABLE,
10 SHALL MAKE, OR CAUSE TO BE MADE, A STUDY OF THE FEASIBILITY OF
11 SUPPLEMENTING WATER SUPPLIES IN THE SOUTH PLATTE RIVER BASIN
12 THROUGH THE CONSTRUCTION OF ONE OR MORE NEW RESERVOIRS IN THE
13 SOUTH PLATTE RIVER BASIN AND THE IMPORTATION OF WATER INTO
14 COLORADO FROM THE MISSOURI RIVER BASIN. THE GOALS OF THE STUDY
15 ARE TO:

16 (I) ASSESS THE SUITABILITY OF STORAGE SITES IN THE SOUTH
17 PLATTE RIVER BASIN, REGARDLESS OF WHETHER THEY MAY PREVIOUSLY
18 HAVE BEEN STUDIED, INCLUDING THE MAINSTEM, TRIBUTARIES,
19 OFF-STREAM STORAGE, UNDERGROUND STORAGE, ENLARGEMENT OF
20 EXISTING RESERVOIRS, AND DREDGING OF EXISTING RESERVOIRS, TAKING
21 INTO CONSIDERATION THAT THE STORED WATER WOULD BE USED:

22 (A) FOR COMPLIANCE WITH THE SOUTH PLATTE RIVER COMPACT,
23 ARTICLE 65 OF THIS TITLE;

1 (B) TO AUGMENT MUNICIPAL SUPPLIES, INCLUDING BY EXCHANGE;
2 (C) AS A SOURCE OF AUGMENTATION SUPPLY FOR JUNIOR
3 GROUNDWATER DIVERTERS, INCLUDING FOR AGRICULTURAL PURPOSES;
4 (D) CONJUNCTIVELY WITH GROUNDWATER SUPPLIES, INCLUDING
5 BY STORING WATER IN THE ALLUVIAL AQUIFER; AND
6 (E) TO REDUCE THE NEED FOR THE IMPORTATION OF WATER INTO
7 THE SOUTH PLATTE RIVER BASIN FROM OTHER BASINS IN COLORADO,
8 INCLUDING, SPECIFICALLY, THE COLORADO RIVER BASIN;
9 (II) ESTIMATE, FOR EACH OF THE PREVIOUS TWENTY YEARS, THE
10 VOLUME OF WATER THAT HAS BEEN DELIVERED TO NEBRASKA IN EXCESS
11 OF THE AMOUNTS REQUIRED TO BE DELIVERED BY THE SOUTH PLATTE
12 RIVER COMPACT, ARTICLE 65 OF THIS TITLE, AND THAT COULD OTHERWISE
13 HAVE BEEN STORED IN THE LOWER SOUTH PLATTE RIVER BASIN;
14 (III) ASSESS THE FEASIBILITY OF CONSTRUCTING A NEW
15 RESERVOIR AT ONE OR MORE OF THE STORAGE SITES STUDIED PURSUANT
16 TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), INCLUDING
17 CONSIDERATION OF ENVIRONMENTAL, PERMITTING, WATER AVAILABILITY,
18 FINANCIAL, AND LEGAL CONSTRAINTS, INCLUDING THOSE IMPOSED BY THE
19 SOUTH PLATTE RIVER COMPACT AND THE "COOPERATIVE AGREEMENT FOR
20 PLATTE RIVER RESEARCH AND OTHER EFFORTS RELATING TO
21 ENDANGERED SPECIES HABITATS ALONG THE CENTRAL PLATTE RIVER,
22 NEBRASKA";
23 (IV) ASSESS EXISTING STUDIES CONDUCTED IN COLORADO OR
24 OTHER STATES IN THE MISSOURI RIVER BASIN ON THE CONSTRUCTION OF
25 A PIPELINE TO IMPORT WATER INTO COLORADO FROM THE MISSOURI RIVER
26 BASIN; AND
27 (V) ESTIMATE THE COSTS AND BENEFITS OF INCREASING STORAGE
28 IN THE SOUTH PLATTE RIVER BASIN BY DREDGING ONE OR MORE EXISTING
29 RESERVOIRS IN THE BASIN TO INCREASE THE AFFECTED RESERVOIRS'
30 AVAILABLE STORAGE CAPACITY.
31 (b) THE BOARD SHALL:
32 (I) PROVIDE THE WATER RESOURCES REVIEW COMMITTEE CREATED
33 IN SECTION 37-98-102, THE GOVERNOR'S OFFICE, THE EXECUTIVE
34 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE
35 GENERAL ASSEMBLY'S COMMITTEES OF REFERENCE WITH JURISDICTION
36 OVER NATURAL RESOURCES WITH AN UPDATE CONCERNING THE STUDY BY
37 OCTOBER 31, 2015;
38 (II) INCLUDE THE FINDINGS FROM THE STUDY IN THE COLORADO
39 WATER PLAN;
40 (III) COMPLETE THE STUDY AS EXPEDITIOUSLY AS PRACTICABLE,
41 BUT IN NO EVENT LATER THAN DECEMBER 31, 2015; AND

1 (IV) PROVIDE A REPORT SUMMARIZING THE STUDY TO THE
2 GOVERNOR'S OFFICE AND THE GENERAL ASSEMBLY'S COMMITTEES OF
3 REFERENCE WITH JURISDICTION OVER NATURAL RESOURCES BY FEBRUARY
4 15, 2016.

5 **SECTION 2. Safety clause.** The general assembly hereby finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, and safety.".

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