

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 2, 2015
Date

Committee on Agriculture, Livestock, & Natural Resources.

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

HB15-1178 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, 37-60-121, **add** (10)
4 as follows:

5 **37-60-121. Colorado water conservation board construction**
6 **fund - creation of - nature of fund - funds for investigations -**
7 **contributions - use for augmenting the general fund - funds created**
8 **- repeal. (10) Emergency dewatering grant program and data**
9 **collection - fund - creation - legislative declaration. (a) (I) THE**
10 **GENERAL ASSEMBLY FINDS AND DETERMINES THAT HIGH GROUNDWATER**
11 **LEVELS IN THE AREA OF GILCREST, COLORADO, ARE DAMAGING CROPS**
12 **AND FLOODING BASEMENTS AND SEPTIC SYSTEMS. TO MITIGATE THE**
13 **DAMAGING HIGH GROUNDWATER LEVELS, THE WATER TABLE NEEDS TO BE**
14 **LOWERED IMMEDIATELY TO A LEVEL THAT IS NO LONGER DAMAGING BY**
15 **MEANS OF EMERGENCY PUMPING OF WELLS THAT ARE:**

16 (A) LOCATED WITHIN OR NEAR THE AREA OF GILCREST,
17 COLORADO; AND

18 (B) PERMITTED FOR DEWATERING.

19 (II) THE GENERAL ASSEMBLY FURTHER FINDS AND DETERMINES
20 THAT REAL-TIME DATA COLLECTION SHOULD ACCOMPANY THE
21 EMERGENCY PUMPING OF DEWATERING WELLS.

22 (III) THEREFORE, THE GENERAL ASSEMBLY FINDS, DETERMINES,
23 AND DECLARES THAT THE STATE OF COLORADO SHOULD FACILITATE THE

1 EMERGENCY PUMPING OF DEWATERING WELLS IN THE AREA OF GILCREST,
2 COLORADO, THROUGH THE ESTABLISHMENT AND FUNDING OF A GRANT
3 PROGRAM.

4 (b) THE EMERGENCY DEWATERING GRANT ACCOUNT, REFERRED TO
5 IN THIS SUBSECTION (10) AS THE "ACCOUNT", IS HEREBY CREATED IN THE
6 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND. FOR THE
7 2015-16 AND 2016-17 FISCAL YEARS, THE STATE TREASURER SHALL
8 TRANSFER TWO HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL
9 FUND TO THE ACCOUNT FOR IMPLEMENTATION OF THE EMERGENCY
10 DEWATERING GRANT PROGRAM CREATED IN THIS SUBSECTION (10).

11 (c) (I) THE BOARD, IN COLLABORATION WITH THE STATE
12 ENGINEER, SHALL EXPEND MONEY FROM THE ACCOUNT TO AWARD GRANTS
13 FOR EMERGENCY PUMPING OF WELLS PERMITTED FOR DEWATERING WITHIN
14 OR NEAR GILCREST, COLORADO. THE BOARD, IN COLLABORATION WITH
15 THE STATE ENGINEER, MAY AWARD GRANTS TO PUBLIC ENTITIES, PRIVATE
16 ENTITIES, AND PRIVATE INDIVIDUALS SEEKING TO IMPLEMENT EMERGENCY
17 PUMPING OF WELLS PERMITTED FOR DEWATERING. THE BOARD SHALL SEEK
18 INPUT FROM THE SOUTH PLATTE BASIN ROUNDTABLE, CREATED IN
19 SECTION 37-75-104 (3) (b) (I), AND THE ROUNDTABLE'S TECHNICAL
20 COMMITTEE ON THE GENERAL COSTS ASSOCIATED WITH DEWATERING
21 WITHIN AND NEAR GILCREST, COLORADO, AND THE INFRASTRUCTURE
22 NEEDED TO IMPLEMENT THE DEWATERING PROJECT.

23 (II) THE BOARD, IN COLLABORATION WITH THE STATE ENGINEER,
24 SHALL DEVELOP CRITERIA AND GUIDELINES FOR THE GRANT PROGRAM AND
25 THE ACCOMPANYING REAL-TIME DATA COLLECTION, INCLUDING
26 SELECTION CRITERIA AND GRANTEE REPORTING CRITERIA.

27 (III) THE BOARD MAY ACCEPT AND EXPEND GIFTS, GRANTS, AND
28 DONATIONS FOR THE PURPOSES OF THIS SUBSECTION (10), BUT THE
29 IMPLEMENTATION OF THIS SUBSECTION (10) IS NOT DEPENDENT ON THE
30 RECEIPT OF GIFTS, GRANTS, AND DONATIONS. THE BOARD SHALL TRANSMIT
31 ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
32 STATE TREASURER, WHO SHALL CREDIT THEM TO THE ACCOUNT.

33 (IV) (A) ON AN ANNUAL BASIS, THE BOARD, IN COLLABORATION
34 WITH THE STATE ENGINEER, SHALL REPORT TO THE WATER RESOURCES
35 REVIEW COMMITTEE, CREATED IN SECTION 37-98-102, ON THE PROGRESS
36 OF THE GRANT PROGRAM.

37 (B) ON OR BEFORE OCTOBER 1, 2017, THE BOARD, IN
38 COLLABORATION WITH THE STATE ENGINEER, SHALL PROVIDE THE WATER
39 RESOURCES REVIEW COMMITTEE WITH A FINAL REPORT ON THE GRANT
40 PROGRAM.

41 (C) TO ASSIST WITH THE REPORTING REQUIREMENTS OF THIS

1 SUBPARAGRAPH (IV), THE BOARD, IN COLLABORATION WITH THE STATE
2 ENGINEER, SHALL DEVELOP REPORTING REQUIREMENTS FOR GRANTEEES.

3 (d) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.

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

7 Page 1, line 102, after "AREA" insert "OF GILCREST, COLORADO,".

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