



Colorado  
Legislative  
Council  
Staff

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**MEMORANDUM**

May 11, 2011

**TO:** Senior Analyst David Beaujon  
**FROM:** David Beaujon, Senior Analyst, 303-866-4781  
**SUBJECT:** Water Resources Review Committee

This memorandum describes the Water Resources Review Committee's membership, charge, bill limits, and bill request deadlines. It also summarizes the committee's activities since 2001 including meetings, tours, and legislative recommendations of the committee. Final reports, memoranda, and other information from previous years are available on the General Assembly's website at: [www.colorado.gov/lcs](http://www.colorado.gov/lcs).

**2011 Water Resources Review Committee**

Senator Gail Schwartz	Representative Jerry Sonnenberg
Chair	Vice-chair
Senator Greg Brophy	Representative Randy Baumgardner
Senator Angela Giron	Representative Keith Swerdfeger
Senator Mary Hodge	Representative Edward Vigil
Senator Ellen Roberts	Representative Roger Wilson

***Membership requirements.*** The Water Resources Review Committee is a ten-member committee with terms extending from January 1 of an odd-numbered year to December 31 of the following even-numbered year (two years).<sup>1</sup> During odd-numbered years, the President appoints the chair and the Speaker appoints the vice-chair. Members are appointed according to the following criteria:

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<sup>1</sup>Section 37-98-102 (2), C.R.S.

- five Senate members, three appointed by the Senate President and two appointed by the Senate Minority Leader;
- five House members appointed by the House Speaker in consultation with the House Minority Leader;
- at least four members must reside west of the Continental Divide or their district must have a majority of its population residing west of the Continental Divide; and
- members should represent each of the seven water divisions.

***Committee charge.*** The committee is authorized to review water issues and propose legislation related to the conservation, use, development, and financing of Colorado's water resources. In conducting its review, the committee is required to consult with experts in the field of water conservation, quality, use, finance, and development.

***Tours and meetings.*** The committee is authorized to meet up to eight times during odd-numbered years and to take up to two field trips.<sup>2</sup>

### **Committee Recommendations to Legislative Council**

***Bill limits.*** Each bill recommended by the committee must be approved by a two-thirds vote. The committee is limited to recommending three bills to the Legislative Council, unless two-thirds of the members of the Water Resources Review Committee vote to recommend a greater number.<sup>3</sup> The Joint Rules of the House and Senate limit the total number of bills that may be recommended by any committee to eight unless the Executive Committee of the Legislative Council approves a greater number.<sup>4</sup>

***Legislative Council review.*** The Legislative Council will review interim committee recommendations in November 2011. Bills approved by the Legislative Council do not count against a member's five bill limit for the regular legislative session.<sup>5</sup> Bills not approved by Legislative Council may be introduced in the regular session, but such bills will count against a member's five bill limit. Interim committee bills must have prime sponsors prior to consideration by the Legislative Council.<sup>6</sup>

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<sup>2</sup>Section 37-98-102 (1) (a), C.R.S.

<sup>3</sup>Section 37-98-103 (1), C.R.S.

<sup>4</sup>Joint Rule 24 (b) (1) (D)

<sup>5</sup>Joint Rule 24 (b) (1) (D)

<sup>6</sup>Joint Rule 24 (b) (1) (E)

**Requirements for bill drafts.** Legislative Legal Services and Legislative Council typically issues guidelines for interim committees that require that at least a majority of the committee membership approve a bill in concept prior to requesting a bill draft. Requests must also be made at least two weeks before the final meeting to allow sufficient time for drafting and final consideration by the committee. In keeping with this practice, bills must be approved by the committee by November 1, 2011, if Legislative Council meets on November 15, 2011, — the deadline to consider interim committee recommendations. The date of this Legislative Council meeting has not been set.

**Activities of the Water Resources Review Committee.** The Water Resources Review Committee has recommended 23 bills since it was created in 2001. Eighteen of these bills were signed into law. It has also recommended one joint resolution and drafted eight letters to state and federal policy makers. The committee has also conducted 14 tours, covering all of Colorado's major river basins except the North Platte River Basin. Table 1 provides additional information about the committee's tours, legislative recommendations, and letters to policy makers.

**Table 1  
Activities of the Water Resources Review Committee Since 2001**

<b>Year</b>	<b>Number of Meetings</b>	<b>Tour(s)</b>	<b>Recommendation(s)</b>
2010	Interim committees were suspended during the 2010 interim.		
2009	6	<ul style="list-style-type: none"> <li>• 2-day tour in the Rio Grande Basin with the Colorado Foundation for Water Education</li> <li>• 1-day tour of the Animas-La Plata storage project near Durango</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 10-019, Valuation of New Hydroelectric Facilities — <i>signed into law</i></li> <li>• Senate Bill 10-025, Extend Water Efficiency Grant Program — <i>signed into law</i>.</li> <li>• House Bill 10-1006, Fund Division of Water Resources with Tier 1 Operational Account Moneys — <i>postponed indefinitely</i></li> </ul>
2008	4	<ul style="list-style-type: none"> <li>• 1.5-day tour in the South Platte River Basin with the Colorado Foundation for Water Education</li> <li>• half-day tour of the Republican River Basin.</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 09-015, White River Water Division Change — <i>signed into law</i></li> </ul>

**Table 1**  
**Activities of the Water Resources Review Committee Since 2001 (Cont.)**

<b>Year</b>	<b>Number of Meetings</b>	<b>Tour(s)</b>	<b>Recommendation(s)</b>
2007	4	<ul style="list-style-type: none"> <li>• 2-day tour in the Gunnison and Uncompahgre River basins with the Colorado Foundation for Water Education</li> <li>• 1-day tour in the Yampa River Basin</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 08-010, Board of Directors of the Water Resources and Power Development Authority — <i>signed into law</i></li> <li>• House Bill 08-1030, Exemption for Depletions from Pumping that Occurred Prior to 1974 — <i>lost in the Senate</i></li> <li>• Letter 1 — urging Colorado's congressional delegation to fund a study concerning options for increasing water storage in Chatfield Reservoir that is located on the South Platte River, southwest of Denver</li> <li>• Letter 2 — expressing support for funding for the federal Conservation Reserve Enhancement Program (CREP) and Environmental Quality Incentive Program (EQIP) in the 2007 Farm Bill</li> <li>• Letter 3 — expressing concern to the congressional delegation about H.R. 720, the "Water Quality Financing Act of 2007"</li> </ul>
2006	3	<ul style="list-style-type: none"> <li>• 2-day tour in the Upper Colorado River and the Upper Arkansas River basins with the Colorado Foundation for Water Education</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 07-008, Expansion of the Water Efficiency Grant Program — <i>signed into law</i></li> <li>• House Bill 07-1056, Increase the Compensation for Directors of Certain Water Districts — <i>signed into law</i></li> <li>• House Joint Resolution 07-1004, Request that Congress support the federal "Rural Colorado Water Infrastructure Act" — <i>adopted</i></li> </ul>
2005	7	<ul style="list-style-type: none"> <li>• 2-day tour in northwestern Colorado including the Upper Colorado River and the Yampa-White basins</li> <li>• half day tour of the South Platte River Basin</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 06-034, Appointments to the Colorado Water Resources and Power Development Authority — <i>signed into law</i></li> <li>• Senate Bill 06-037, Adjudication of Recreational In-channel Diversions — <i>signed into law</i></li> </ul>
2004	4	<ul style="list-style-type: none"> <li>• 3-day tour in the South Platte River Basin</li> <li>• 4-day tour in the Lower Gunnison, Dolores, Animas, La Plata, San Juan, and Rio Grande River basins</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 05-011, Water Project Revolving Fund Eligibility Lists — <i>signed into law</i></li> <li>• Senate Bill 05-045, Authorization for Certain Water Districts to Provide Park and Recreation Services in Connection with a Reservoir — <i>signed into law</i></li> </ul>
2003	7	<ul style="list-style-type: none"> <li>• 4-day tour in the Upper Gunnison, the Rio Grande, and the Arkansas River basin</li> <li>• 2-day tour in the Upper Colorado River Basin</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 04-013, Deadlines for Senate Confirmation of Water Boards — <i>signed into law</i></li> <li>• Senate Bill 04-032, Loans of Agricultural Water Rights — <i>signed into law</i></li> <li>• Senate Bill 04-039, Limit Voting Rights of Ex Officio Members of the Colorado Water Conservation Board — <i>postponed indefinitely</i></li> <li>• House Bill 04-1035, Prohibit Proxy Voting by Members of the Colorado Water Conservation Board — <i>signed into law</i></li> <li>• House Bill 04-1040, Mitigation of Transbasin Diversions — <i>Lost in House</i></li> </ul>

**Table 1**  
**Activities of the Water Resources Review Committee Since 2001 (Cont.)**

Year	Number of Meetings	Tour(s)	Recommendation(s)
2002	4	<ul style="list-style-type: none"> <li>• 3-day tour in the Arkansas River Basin</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 03-045, Increase Well Permit Fees for Well Inspections and Oversight of Well Contractors — <i>signed into law</i></li> <li>• Senate Bill 03-047, Extend Water Resources Review Committee — <i>signed into law</i></li> <li>• House Bill 03-1005, Extend Water Augmentation Requirements for Water Divisions 1 and 2 — <i>signed into law</i></li> <li>• Letter 1 — requesting the Department of Natural Resources Executive Director to encourage the release of water from Cherry Creek Reservoir to augment South Platte River wells</li> <li>• Letter 2 — requesting Colorado's congressional delegation, the Secretary of the U.S. Department of Interior, and the Secretary of the U.S. Department of Agriculture, to encourage a streamlined approach to forest management on federal lands</li> <li>• Letter 3 — requesting Colorado's congressional delegation to support federal legislation that funds research on the impact of invasive plants on water supplies</li> </ul>
2001	4	<ul style="list-style-type: none"> <li>• 2-day tour in the Gunnison River Basin</li> </ul>	<ul style="list-style-type: none"> <li>• Senate Bill 02-045, Continues the Water Resources Review Committee — <i>signed into law</i></li> <li>• House Bill 02-1012, Appropriation for Species Conservation Trust Fund — <i>postponed indefinitely</i></li> <li>• House Bill 02-1024, Qualification for Electors of Irrigation Districts — <i>signed into law</i></li> <li>• Letter 1 — requesting U.S. Environmental Protection Agency to delay new water quality rules and expressing concern about water delivery obligations for endangered species</li> <li>• Letter 2 — expressing concern to Secretary of the U.S. Department of Interior about quantification of the reserved water right for the Black Canyon of the Gunnison National Park</li> </ul>