



SENATE JOINT MEMORIAL 19-001

BY SENATOR(S) Crowder, Bridges, Cooke, Coram, Donovan, Gardner, Ginal, Gonzales, Hisey, Lee, Lundeen, Marble, Moreno, Pettersen, Story, Tate, Todd, Williams A., Woodward, Garcia;

also REPRESENTATIVE(S) Esgar, Arndt, Baisley, Beckman, Benavidez, Bockenfeld, Buck, Buckner, Buentello, Caraveo, Carver, Catlin, Coleman, Cutter, Duran, Exum, Froelich, Galindo, Garnett, Geitner, Gonzales-Gutierrez, Gray, Hansen, Herod, Hooton, Humphrey, Jackson, Jaquez Lewis, Kennedy, Kipp, Kraft-Tharp, Landgraf, Larson, Lewis, Liston, Lontine, McCluskie, McKean, McLachlan, Melton, Michaelson Jenet, Mullica, Neville, Pelton, Ransom, Rich, Roberts, Saine, Sandridge, Singer, Sirota, Snyder, Soper, Sullivan, Tipper, Titone, Valdez A., Valdez D., Van Winkle, Weissman, Williams D., Wilson.

MEMORIALIZING THE UNITED STATES CONGRESS TO FULFILL THE COMMITMENT OF THE FEDERAL GOVERNMENT TO PROVIDE FUNDING FOR THE ARKANSAS VALLEY CONDUIT PROJECT.

WHEREAS, The Arkansas Valley Conduit is a proposed 130-mile pipeline with spurs that would deliver filtered water ready for treatment from the Pueblo reservoir to as many as 40 communities and 50,000 people east of Pueblo; and

WHEREAS, The Arkansas Valley Conduit was authorized by the United States Congress as part of the Fryingpan-Arkansas Project in 1962 as a means to address water quality and availability issues in the Arkansas River basin east of Pueblo, but it was never built, largely because of the inability of participants to repay construction costs; and

WHEREAS, In 2009, Congress enacted Pub.L. 111-11, which added to the original Fryingpan-Arkansas Project legislation a cost-sharing plan by which the federal government supplies funding for the project, and the

Southeastern Colorado Water Conservancy District agrees to repay 35 percent of the funding to the federal government over a period of 50 years; and

WHEREAS, Pub.L. 111-11 also allowed miscellaneous revenues, including excess-capacity contract payments, from the Fryingpan-Arkansas Project to be applied to the construction of, and repayment for, the Arkansas Valley Conduit beginning in 2022; and

WHEREAS, These payments will initially total about \$3 million annually, increasing in future years as contract payments rise; and

WHEREAS, In 2013, the Southeastern Colorado Water Conservancy District completed a regional water conservation plan in support of the Arkansas Valley Conduit project; and

WHEREAS, In 2013, the federal Bureau of Reclamation completed a final environmental impact statement for the project, which concluded that the Arkansas Valley Conduit would have an overall positive impact on area water supplies, water quality, and efficiency of water deliveries; and

WHEREAS, In 2014, the federal Bureau of Reclamation issued a record of decision for the Arkansas Valley Conduit, which established a route and scope of work for the project; and

WHEREAS, In 2017, the federal Bureau of Reclamation completed a feasibility design report for the Arkansas Valley Conduit; and

WHEREAS, In 2017, the Southeastern Colorado Water Conservancy District, the federal Bureau of Reclamation, and the Pueblo Board of Water Works began discussions about a plan to reduce the time needed to build the Arkansas Valley Conduit; and

WHEREAS, The plan is a phased approach that would use excess capacity in the Pueblo water system to deliver water to the Arkansas Valley Conduit; and

WHEREAS, Most of the prospective participants of the Arkansas

Valley Conduit currently rely on groundwater and are in need of a reliable supply of fresh water; and

WHEREAS, The Arkansas Valley Conduit is intended to provide safe drinking water to more than 50,000 people whose water supply is currently contaminated by naturally occurring radionuclides beyond the standards established by the federal "Safe Drinking Water Act", Pub.L. 93-523; and

WHEREAS, Fifteen of the 40 water systems in the Arkansas Valley Conduit are already in violation of clean water standards due to the presence of radionuclides; and

WHEREAS, These federal standards are intended to protect the health and safety of the public, and therefore it is within the interest of the federal government to partner with Colorado and local water providers to construct the Arkansas Valley Conduit; and

WHEREAS, The Colorado department of public health and environment views the Arkansas Valley Conduit as the preferred method of dealing with contamination from radionuclides in groundwater; and

WHEREAS, The cities of the lower Arkansas valley in Colorado have awaited the construction of the Arkansas Valley Conduit for decades; and

WHEREAS, Without federal funding, it is beyond the means of southeastern Colorado, an economically disadvantaged portion of the state, to construct the Arkansas Valley Conduit; and

WHEREAS, The Colorado water conservation board has committed \$60.6 million toward the construction of the Arkansas Valley Conduit; and

WHEREAS, The Arkansas Valley Conduit is supported by Colorado's entire Congressional delegation and has always had the full support of governmental entities at all levels, and no opposition to the Arkansas Valley Conduit exists; now, therefore,

Be It Resolved by the Senate of the Seventy-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

That Congress should act swiftly to fulfill its commitment to provide sufficient funding to provide for the construction of the Arkansas Valley Conduit.

Be It Further Resolved, That copies of this Joint Memorial be sent to Governor Jared Polis, to each member of Colorado's Congressional delegation, to the Colorado Water Conservation Board, to the Southeastern Colorado Water Conservancy District, to the Pueblo Board of Water Works, to the federal Bureau of Reclamation, and to the current Secretary of the Interior.

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