



Water

During the 2021 legislative session, the General Assembly considered several measures related to water, including funding for water projects, water studies, and other water-related bills.

Water Project Funding

The General Assembly considered four bills concerning funding for water projects. The Colorado Water Conservation Board (CWCB) within the Colorado Department of Natural Resources (DNR) is authorized to conserve, develop, protect, and manage Colorado's water resources. *Senate Bill 21-240* transfers \$20 million from the General Fund to the CWCB Construction Fund for watershed restoration grants and directs CWCB to conduct a watershed analysis to investigate the susceptibility of water supplies to wildfire impacts. These watershed restoration grants must support work to restore, mitigate, and protect streams and riparian areas susceptible to flooding and erosion following a wildfire. The bill also requires DNR to report on any rewarded watershed restoration grants during its annual SMART Act hearing.

Senate Bill 21-189 appropriates funds from the CWCB Construction Fund to the CWCB for specified water-related projects. These water projects include: the Colorado Floodplain Map Modernization Program, the Colorado

Rio Grande Restoration Foundation, and the Weather Modification Permitting Program.

The Colorado Water Plan is the framework used by the state to plan and conserve water resources. *House Bill 21-1260* transfers \$15 million to the Water Plan Implementation Cash Fund and \$5 million to the Water Supply Reserve Fund. Both funds are administered by CWCB to implement the state water plan.

In addition, *Senate Bill 21-034* would have created the Water Resources Financing Enterprise, which would have collected fees from customers of public water supply systems to finance water projects. The bill was postponed indefinitely.

Water Studies

The General Assembly considered two bills concerning water studies in 2021. *House Bill 21-1268* directs the University of Colorado, in collaboration with Colorado State University and the Colorado Water Institute, to conduct feasibility studies and pilot deployments of new and emerging technologies that have the potential to improve water management. The entities must consider emerging technologies such as aerial observation towers, blockchain-based documentation, and satellite-based remote sensing.

Water (cont'd)

In the past, the CWCB has conducted studies concerning underground water storage potential in Colorado. *House Bill 21-1043* would have directed DNR to contract with a Colorado institution of higher education to study underground water storage in Colorado. The bill was postponed indefinitely.

House Bill 21-1042 would have created the Water Storage Tank Wildfire Mitigation Grant Program in the Colorado State Forest Service at Colorado State University. This grant program would have been used by local governments and nonprofit organizations to purchase water storage tanks for fighting wildfires. The bill was postponed indefinitely.

Other Water-related Bills

Mutual ditch corporations are private, nonprofit organizations that hold water rights, allocate water to shareholders, and keep ditches in good condition. *House Bill 21-1046* authorizes a mutual ditch corporation to deliver direct flow water to water-requesting stockholders only, and depending on each stockholder's request and the available water supply, a mutual ditch corporation may provide water at rates of flow greater or less than each stockholder's ownership.