



STATE WATER SUPPLY PLANNING

By David Beaujon and Matt Becker

Spurred in part by the state's growing population and recent droughts, the executive branch and legislature have taken action to address Colorado's future water supply challenges. This *issue brief* examines several water supply planning initiatives, including the development of the Colorado Water Plan and the Water for the 21st Century Act.

Colorado Water Plan

In 2013, Governor Hickenlooper issued an executive order that directed the Colorado Water Conservation Board (CWCB) to prepare the Colorado Water Plan "plan." According to the order, the plan must promote a productive economy that supports vibrant and sustainable cities, viable and productive agriculture, and a robust skiing, recreation, and tourism industry. It must also incorporate an efficient and effective water infrastructure promoting smart land use and a strong environment that includes healthy watersheds, rivers and streams, and wildlife. The 540-page final plan was released in November 2015 and identifies objectives, goals, and critical actions by which Colorado will address its future water needs and how the state will measure its progress. For example, the plan sets an objective of reducing the projected 2050 municipal and industrial water supply gap from as much as 560,000 acre-feet to zero acre-feet by 2030 and to achieve 400,000 acre-feet of municipal and industrial water conservation by 2050.

Role of the legislature in setting state water policy. In 2014, the legislature enacted

legislation to guide the development of the plan.¹ It declares that the General Assembly is primarily responsible for guiding the development of state water policy. It also declares that this law is necessary to protect the interests of the public in the state's water resources and that the General Assembly intends to engage the people of the state in a public dialogue regarding optimal state water policy. The law also affirms the legislature's delegation of policy-making authority to the CWCB, and declares that the law seeks to promote the policies, processes, basin roundtable plans, and Interbasin Compact negotiations conducted pursuant to the "Colorado Water for the 21st Century Act," and the Interbasin Compact Charter.

The 2014 law required the Water Resources Review Committee (WRRRC) — a ten-member legislative interim committee — to hold at least one public hearing in each of the state's major river basins to collect public feedback on the draft plan and provide a summary of the public's feedback, as well as its own feedback, to the CWCB. The WRRRC may repeat the review process, including public meetings in each basin, whenever the CWCB submits a significant amendment to the plan. By November 1 of each year following the submission to the committee of a plan or plan amendment, any legislator may request that the WRRRC hold hearings to review the plan or plan amendment. By November 1, 2017, and every five years thereafter, the committee is also required to prepare a list of topics that it deems

¹Senate Bill 15-115

necessary to be addressed in the plan. The CWCB must provide its recommendations within eight months after receipt of the list of specific topics.

Implementation of the plan. In 2016, the legislature authorized an annual appropriation of \$5.0 million from the CWCB Construction Fund to the CWCB to implement the plan. The CWCB may use these moneys to provide planning and engineering studies, including implementation measures, to address technical needs for watershed restoration and flood mitigation projects throughout the state, aquatic habitat protection, flexible operations for multiple uses, restoration work, quantification of environmental flow needs, and monitoring to support watershed health goals outlined in the plan. The legislature also appropriated an additional \$1.5 million for FY 2016-17 from the CWCB Construction Fund to the CWCB to support the plan's watershed health goals.

Other State Water Planning Initiatives

Statewide Water Supply Initiative (SWSI). In 2003, the General Assembly commissioned SWSI to explore water supply and demand issues in each of the state's major river basins. Completed in 2004, the study estimated that Colorado will need an additional 630,000 acre-feet (AF) annually to meet demand in 2030, primarily for municipal and industrial purposes. It further determined that as much as 80 percent of this demand may be satisfied from existing and planned water projects and processes.

In 2010, the CWCB updated the SWSI to assess municipal and industrial demand and agricultural demand in 2050. It estimated that 190,000 to 630,000 AF will be needed to meet these demands in 2050, depending upon the ability of water providers to complete identified projects and processes.

The CWCB is currently conducting the Colorado River Water Availability Study to determine how much water from the Colorado River Basin System is available to meet Colorado's future water needs under alternate hydrologies. An updated SWSI is scheduled for release in 2018.

Colorado Water for the 21st Century Act.

In 2005, the General Assembly enacted a law that established nine basin roundtables covering the Denver metropolitan area and eight of the state's major river basins including the South Platte, the Arkansas, and the Colorado river basins. Basin roundtables are charged with identifying water needs within each basin and conducting discussions with other basins to address interbasin water issues. Roundtable members are appointed to represent counties, cities, and water districts within the basin for five-year terms. The chairs of the House Agriculture, Livestock, and Natural Resources Committee and the Senate Agriculture, Natural Resources, and Energy Committee appoint by mutual agreement one member to each basin roundtable. The Executive Director of the Department of Natural Resources is charged with ensuring the proper integration of activities occurring pursuant to SWSI and the Water for the 21st Century Act.

Each basin roundtable is charged with developing a basin-wide water needs assessment that identifies consumptive water needs (municipal, industrial, and agricultural); nonconsumptive water needs (environmental and recreational); available water supplies (surface and ground water) and an analysis of any unappropriated waters; and proposed projects or methods to meet identified water needs and achieve water supply sustainability.

Interbasin Compact Committee. The act also created the 27-member Interbasin Compact Committee to facilitate negotiations between the roundtables. In 2006, the legislature approved the committee's charter, which includes principles to guide negotiations for ratifying interbasin compacts. It also defines the process for integrating the interbasin compact process with other water planning and development processes such as SWSI. In 2014, the committee approved a conceptual agreement that sets the framework for negotiations on potential new projects that divert water from western Colorado and move it across the Continental Divide for use by eastern Colorado communities.