

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

Attachment G

UNREVISED
DRAFT
2.10.14

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LLS NO. 14-0925.01 Jennifer Berman x3286

SENATE BILL

SENATE SPONSORSHIP

Renfroe,

HOUSE SPONSORSHIP

Sonnenberg,

SHORT TITLE: "South Platte River Post-flood Phreatophyte Study"

A BILL FOR AN ACT

101 CONCERNING A STUDY OF PHREATOPHYTE GROWTH ALONG THE SOUTH
102 PLATTE RIVER IN THE AFTERMATH OF THE SEPTEMBER 2013
103 FLOOD.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

The bill directs the Colorado water conservation board to evaluate the growth of phreatophytes, which are deep-rooted plants that absorb water from the water table or the layer of soil just above the water table, along the South Platte river in the aftermath of the September 2013 flood.

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

The objectives of the study are to determine the relationship between high groundwater and nonbeneficial consumptive use by the phreatophytes and to develop a cost analysis for the removal of unwanted phreatophytes.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 37-60-115, **add** (9)
3 as follows:

4 **37-60-115. Water studies - rules - repeal.** (9) (a) THE BOARD
5 SHALL CONDUCT A COMPREHENSIVE STUDY TO EVALUATE THE GROWTH OF
6 PHREATOPHYTES ALONG THE SOUTH PLATTE RIVER IN THE AFTERMATH OF
7 THE SEPTEMBER 2013 FLOOD. THE OBJECTIVES OF THE STUDY ARE:

8 (I) TO EVALUATE A PORTION OF THE WATERSHED ALONG THE
9 SOUTH PLATTE RIVER THAT WAS AFFECTED BY THE SEPTEMBER 2013
10 FLOOD TO DETERMINE THE RELATIONSHIP BETWEEN HIGH GROUNDWATER
11 AND NONBENEFICIAL CONSUMPTIVE USE BY PHREATOPHYTES; AND

12 (II) UTILIZING THE DATA COMPILED FOR SUBPARAGRAPH (I) OF
13 THIS PARAGRAPH (a), DEVELOP A COST ANALYSIS FOR THE REMOVAL OF
14 UNWANTED PHREATOPHYTES ALONG THE SOUTH PLATTE RIVER.

15 (b) THE BOARD MAY ENTER INTO CONTRACTS WITH OTHER
16 ENTITIES TO CONDUCT, OVERSEE, AND COORDINATE ALL ASPECTS OF THE
17 STUDY.

18 (c) THE BOARD SHALL COMMISSION THE STUDY AS SOON AS
19 PRACTICABLE. THE BOARD SHALL PREPARE A FINAL REPORT, INCLUDING
20 ITS CONCLUSIONS, AND PRESENT IT TO THE GENERAL ASSEMBLY NO LATER
21 THAN DECEMBER 31, 2016. THE BOARD SHALL PREPARE A PROGRESS
22 REPORT AND PRESENT IT TO A JOINT MEETING OF THE HOUSE OF
23 REPRESENTATIVES COMMITTEE ON AGRICULTURE, LIVESTOCK, AND
24 NATURAL RESOURCES AND THE SENATE COMMITTEE ON AGRICULTURE,

1 NATURAL RESOURCES, AND ENERGY, OR THEIR SUCCESSOR COMMITTEES,
2 DURING THE SECOND REGULAR SESSION OF THE SEVENTIETH GENERAL
3 ASSEMBLY IN 2016.

4 (d) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2017.

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