

HB1178_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture, Livestock, & Natural Resources.HB15-1178 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 37-60-121, add (10)
4 as follows:

5 **37-60-121. Colorado water conservation board construction**
6 **fund - creation of - nature of fund - funds for investigations -**
7 **contributions - use for augmenting the general fund - funds created**
8 **- repeal. (10) Emergency dewatering grant program and study - fund**
9 **- creation - legislative declaration. (a) (I) THE GENERAL ASSEMBLY**
10 **FINDS AND DETERMINES THAT HIGH GROUNDWATER LEVELS IN THE AREA**
11 **OF GILCREST, COLORADO, ARE DAMAGING CROPS AND FLOODING**
12 **BASEMENTS AND SEPTIC SYSTEMS. TO MITIGATE THE DAMAGING HIGH**
13 **GROUNDWATER LEVELS, THE WATER TABLE NEEDS TO BE LOWERED**
14 **IMMEDIATELY TO A LEVEL THAT IS NO LONGER DAMAGING BY MEANS OF**
15 **EMERGENCY PUMPING OF WELLS THAT ARE:**

16 (A) LOCATED WITHIN OR NEAR THE AREA OF GILCREST,
17 COLORADO; AND

18 (B) PERMITTED FOR DEWATERING.

19 (II) THE GENERAL ASSEMBLY FURTHER FINDS AND DETERMINES
20 THAT REAL-TIME DATA COLLECTION AND SUBSEQUENT EVALUATION
21 SHOULD ACCOMPANY THE EMERGENCY PUMPING OF DEWATERING WELLS
22 TO ANALYZE THE EFFECT THAT DEWATERING HAS ON THE GROUNDWATER
23 LEVELS AND THE AQUIFER.

24 (III) THEREFORE, THE GENERAL ASSEMBLY FINDS, DETERMINES,
25 AND DECLARES THAT THE STATE OF COLORADO SHOULD FACILITATE THE
26 EMERGENCY PUMPING OF DEWATERING WELLS IN THE AREA OF GILCREST,
27 COLORADO, AND A STUDY OF THE DEWATERING EFFORTS THROUGH THE
28 ESTABLISHMENT AND FUNDING OF A GRANT PROGRAM AND STUDY.

29 (b) THE EMERGENCY DEWATERING GRANT ACCOUNT, REFERRED TO
30 IN THIS SUBSECTION (10) AS THE "ACCOUNT", IS HEREBY CREATED IN THE
31 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND. FOR THE
32 2015-16 AND 2016-17 FISCAL YEARS, THE STATE TREASURER SHALL
33 TRANSFER TWO HUNDRED FIFTY THOUSAND DOLLARS FROM THE
34 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND TO THE
35 ACCOUNT FOR IMPLEMENTATION OF THE EMERGENCY DEWATERING GRANT
36 PROGRAM AND STUDY CREATED IN THIS SUBSECTION (10).

37 (c) (I) THE BOARD, IN COLLABORATION WITH THE STATE ENGINEER,



1 SHALL EXPEND MONEY FROM THE ACCOUNT TO AWARD GRANTS FOR
2 EMERGENCY PUMPING OF WELLS PERMITTED FOR DEWATERING WITHIN OR
3 NEAR GILCREST, COLORADO. THE BOARD, IN COLLABORATION WITH THE
4 STATE ENGINEER, MAY AWARD GRANTS TO PUBLIC ENTITIES, PRIVATE
5 ENTITIES, AND PRIVATE INDIVIDUALS SEEKING TO IMPLEMENT EMERGENCY
6 PUMPING OF WELLS PERMITTED FOR DEWATERING.

7 (II) THE BOARD, IN COLLABORATION WITH THE STATE ENGINEER,
8 SHALL DEVELOP CRITERIA AND GUIDELINES FOR THE GRANT PROGRAM,
9 INCLUDING SELECTION CRITERIA AND GRANTEE REPORTING CRITERIA.

10 (III) THE BOARD MAY ACCEPT AND EXPEND GIFTS, GRANTS, AND
11 DONATIONS FOR THE PURPOSES OF THIS SUBSECTION (10), BUT THE
12 IMPLEMENTATION OF THIS SUBSECTION (10) IS NOT DEPENDENT ON THE
13 RECEIPT OF GIFTS, GRANTS, AND DONATIONS. THE BOARD SHALL TRANSMIT
14 ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
15 STATE TREASURER, WHO SHALL CREDIT THEM TO THE ACCOUNT.

16 (IV) (A) ON AN ANNUAL BASIS, THE BOARD, IN COLLABORATION
17 WITH THE STATE ENGINEER, SHALL REPORT TO THE WATER RESOURCES
18 REVIEW COMMITTEE, CREATED IN SECTION 37-98-102, ON THE PROGRESS
19 OF THE GRANT PROGRAM.

20 (B) ON OR BEFORE OCTOBER 1, 2017, THE BOARD, IN
21 COLLABORATION WITH THE STATE ENGINEER, SHALL PROVIDE THE WATER
22 RESOURCES REVIEW COMMITTEE WITH A FINAL REPORT ON THE GRANT
23 PROGRAM.

24 (C) TO ASSIST WITH THE REPORTING REQUIREMENTS OF THIS
25 SUBPARAGRAPH (IV), THE BOARD, IN COLLABORATION WITH THE STATE
26 ENGINEER, SHALL DEVELOP REPORTING REQUIREMENTS FOR GRANTEES.

27 (d) (I) THE BOARD SHALL ENTER INTO A CONTRACT WITH THE
28 COLORADO WATER INSTITUTE, ESTABLISHED IN SECTION 23-31-801,
29 C.R.S., AND REFERRED TO IN THIS SUBSECTION (10) AS THE "INSTITUTE",
30 USING EXISTING PROCUREMENT MECHANISMS AND AGREEMENTS BETWEEN
31 THE BOARD AND THE INSTITUTE, TO CONDUCT, OVERSEE, AND COORDINATE
32 ALL ASPECTS OF A STUDY ON THE EFFECTS THAT DEWATERING UNDER THE
33 GRANT PROGRAM HAS ON THE WATER TABLE AND AQUIFER CONDITIONS.
34 THE BOARD SHALL COMMISSION THE STUDY AS SOON AS PRACTICABLE.

35 (II) THE BOARD SHALL FUND THE STUDY FROM MONEY WITHIN THE
36 ACCOUNT AT LEVELS AGREED TO BETWEEN THE BOARD AND THE
37 INSTITUTE.

38 (III) THE INSTITUTE SHALL CONDUCT THE STUDY INDEPENDENTLY
39 TO PROVIDE INFORMATION ON:

40 (A) THE IMPLEMENTATION OF DEWATERING MEASURES TO
41 MITIGATE ADVERSE IMPACTS IN THE AREAS EXPERIENCING DAMAGING

1 HIGH GROUNDWATER LEVELS IN AND NEAR GILCREST, COLORADO; AND
2 (B) THE EFFECTS THAT DEWATERING IN AND NEAR GILCREST,
3 COLORADO, HAS ON THE AQUIFER.
4 (IV) ON OR BEFORE OCTOBER 1, 2017, THE INSTITUTE SHALL
5 EVALUATE AND REPORT ITS FINDINGS AND CONCLUSIONS TO THE BOARD
6 AND THE WATER RESOURCES REVIEW COMMITTEE.
7 (e) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.
8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, and safety."

11 Page 1, line 102, after "AREA" insert "OF GILCREST, COLORADO,".

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