

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 22, 2008
Date

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB08-1141 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 15, strike "PHYSICAL AND LEGAL".
- 2 Page 5, line 12, after "STATING", insert "WHETHER";
- 3 line 13, strike "ENTITY'S COMMITMENT" and substitute "ENTITY IS WILLING
- 4 TO COMMIT" and, after "AND", insert "ITS";
- 5 line 14, after the period, insert "THE WATER SUPPLY ENTITY'S ENGINEER
- 6 OR EXPERT SHALL PREPARE THE LETTER IF SO REQUESTED BY THE
- 7 APPLICANT."
- 8 Page 6, strike lines 2 through 8 and substitute the following:
 - 9 "(3) IN THE ALTERNATIVE, AN APPLICANT SHALL NOT BE REQUIRED
 - 10 TO PROVIDE A LETTER OR REPORT IDENTIFIED PURSUANT TO SUBSECTIONS
 - 11 (1) AND (2) OF THIS SECTION IF THE WATER FOR THE PROPOSED
 - 12 DEVELOPMENT IS TO BE PROVIDED BY A WATER SUPPLY ENTITY THAT HAS
 - 13 A WATER SUPPLY PLAN THAT:
 - 14 (a) HAS BEEN REVIEWED AND UPDATED, IF APPROPRIATE, WITHIN
 - 15 THE PREVIOUS TEN YEARS BY THE GOVERNING BOARD OF THE WATER
 - 16 SUPPLY ENTITY;
 - 17 (b) HAS A MINIMUM TWENTY-YEAR PLANNING HORIZON;

1 (c) LISTS THE WATER CONSERVATION MEASURES, IF ANY, THAT
2 MAY BE IMPLEMENTED WITHIN THE SERVICE AREA;

3 (d) LISTS THE WATER DEMAND MANAGEMENT MEASURES, IF ANY,
4 THAT MAY BE IMPLEMENTED WITHIN THE DEVELOPMENT;

5 (e) INCLUDES A GENERAL DESCRIPTION OF THE WATER SUPPLY
6 ENTITY'S WATER OBLIGATIONS;

7 (f) INCLUDES A GENERAL DESCRIPTION OF THE WATER SUPPLY
8 ENTITY'S WATER SUPPLIES; AND

9 (g) IS ON FILE WITH THE LOCAL GOVERNMENT.";

10 after line 27, insert the following:

11 **"29-20-306. Cluster developments - inapplicability.** NOTHING
12 IN THIS PART 3 SHALL BE DEEMED TO APPLY TO A RURAL LAND USE
13 PROCESS REGARDING THE APPROVAL OF A CLUSTER DEVELOPMENT
14 PURSUANT TO PART 4 OF ARTICLE 28 OF TITLE 30, C.R.S."

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