

First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 09-0105.01 Thomas Morris

HOUSE BILL 09-1062

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HOUSE SPONSORSHIP

Curry,

SENATE SPONSORSHIP

Schwartz,

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House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE AUTHORIZATION OF A WATER QUALITY MONITORING  
102 PROGRAM IN THE PICEANCE BASIN RELATING TO THE EFFECTS  
103 OF OIL AND GAS OPERATIONS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Directs the Colorado oil and gas conservation commission (commission) to contract with the United States geological survey to develop and implement a baseline surface and ground water monitoring program in the Piceance structural basin area in Rio Blanco, Mesa, Delta, Garfield, and Gunnison counties to provide accurate and consistent water quality and quantity data to discern long-term water quality trends and to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

effectively conserve, protect, and manage water resources for beneficial uses as energy development and associated land and water use changes occur.

Authorizes the expenditure of up to \$500,000 per year for 4 years from the oil and gas conservation and environmental response fund. Limits the state's share of the monitoring program to 50% of the total costs of the program. Directs the commission to seek the remaining share from the federal government, oil and gas operators, affected local governments, and affected water conservation and conservancy districts. Prohibits the commission from expending any moneys from the fund until the commission receives financial commitments for the nonstate portion of the monitoring program.

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

2           **SECTION 1.** 34-60-124 (4), Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4           **34-60-124. Oil and gas conservation and environmental**  
5 **response - repeal.** (4) The oil and gas conservation and environmental  
6 response fund may be expended:

7           (d) (I) FOR THE PURPOSES AUTHORIZED BY SECTION 34-60-130.

8           (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2013.

9           **SECTION 2.** Article 60 of title 34, Colorado Revised Statutes, is  
10 amended BY THE ADDITION OF A NEW SECTION to read:

11           **34-60-130. Piceance basin water quality monitoring study -**  
12 **repeal.** (1) IN ORDER TO PROVIDE ACCURATE AND CONSISTENT WATER  
13 QUALITY AND QUANTITY DATA TO DISCERN LONG-TERM WATER QUALITY  
14 TRENDS AND TO EFFECTIVELY CONSERVE, PROTECT, AND MANAGE WATER  
15 RESOURCES FOR BENEFICIAL USES AS ENERGY DEVELOPMENT AND  
16 ASSOCIATED LAND AND WATER USE CHANGES OCCUR, THE COMMISSION  
17 SHALL CONTRACT WITH THE UNITED STATES GEOLOGICAL SURVEY TO  
18 DEVELOP AND IMPLEMENT A BASELINE SURFACE AND GROUND WATER  
19 MONITORING PROGRAM IN THE PICEANCE STRUCTURAL BASIN AREA IN RIO

1 BLANCO, MESA, DELTA, GARFIELD, AND GUNNISON COUNTIES.

2 (2) THE GENERAL ASSEMBLY SHALL APPROPRIATE UP TO FIVE  
3 HUNDRED THOUSAND DOLLARS PER YEAR FOR EACH OF THE FISCAL YEARS  
4 BEGINNING ON JULY 1, 2009, JULY 1, 2010, JULY 1, 2011, AND JULY 1,  
5 2012, FROM THE OIL AND GAS CONSERVATION AND ENVIRONMENTAL  
6 RESPONSE FUND FOR THE MONITORING PROGRAM AUTHORIZED BY THIS  
7 SECTION; EXCEPT THAT THE STATE'S SHARE OF THE COSTS OF THE  
8 MONITORING PROGRAM SHALL NOT EXCEED FIFTY PERCENT OF THE TOTAL  
9 COSTS OF THE PROGRAM. THE COMMISSION SHALL SEEK THE REMAINING  
10 SHARE FROM THE FEDERAL GOVERNMENT, OIL AND GAS OPERATORS,  
11 AFFECTED LOCAL GOVERNMENTS, AND AFFECTED WATER CONSERVATION  
12 AND CONSERVANCY DISTRICTS. THE COMMISSION SHALL NOT EXPEND ANY  
13 MONEYS FROM THE FUND UNTIL THE COMMISSION RECEIVES FINANCIAL  
14 COMMITMENTS FOR THE NONSTATE PORTION OF THE MONITORING  
15 PROGRAM.

16 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

17 **SECTION 3. Act subject to petition - effective date.** This act  
18 shall take effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly that is  
20 allowed for submitting a referendum petition pursuant to article V,  
21 section 1 (3) of the state constitution, (August 4, 2009, if adjournment  
22 sine die is on May 6, 2009); except that, if a referendum petition is filed  
23 against this act or an item, section, or part of this act within such period,  
24 then the act, item, section, or part, if approved by the people, shall take  
25 effect on the date of the official declaration of the vote thereon by  
26 proclamation of the governor.