

CHAPTER 251

WATER AND IRRIGATION

SENATE BILL 16-200

BY SENATOR(S) Sonnenberg, Cooke, Kerr;
also REPRESENTATIVE(S) Vigil, Coram, Arndt, Becker J., Brown, Kraft-Tharp, Ryden.

AN ACT

CONCERNING THE CREATION OF A POSITION IN THE OFFICE OF THE GOVERNOR THAT COORDINATES THE PERMITTING OF WATER PROJECTS.

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

SECTION 1. In Colorado Revised Statutes, **add** 24-20-114 as follows:

24-20-114. Director of water project permitting - water permitting coordination fund - repeal. (1) (a) **THERE IS HEREBY CREATED IN THE OFFICE OF THE GOVERNOR THE POSITION OF DIRECTOR OF WATER PROJECT PERMITTING.**

(b) **THE ORGANIZATIONAL LOCATION OF THE DIRECTOR IS AT THE DISCRETION OF THE GOVERNOR. IN ORDER TO REDUCE THE COSTS ASSOCIATED WITH CREATING THE WATER PROJECT PERMITTING POSITION, NOTHING IN THIS SECTION PRECLUDES THE PERSON NAMED TO THE POSITION ESTABLISHED UNDER PARAGRAPH (a) OF THIS SUBSECTION (1) FROM HOLDING OTHER TITLES OR PERFORMING OTHER FUNCTIONS WITHIN THE GOVERNOR'S OFFICE. THE DIRECTOR SHALL IMPLEMENT THE DUTIES AND POWERS CONFERRED BY THIS SECTION WITHIN EXISTING RESOURCES.**

(2) **THE DIRECTOR SHALL ANNUALLY PROVIDE AN UPDATE REGARDING THE DIRECTOR'S ACTIVITIES TO A JOINT HEARING OF THE GENERAL ASSEMBLY'S COMMITTEES WITH JURISDICTION OVER NATURAL RESOURCES.**

(3) **THE DIRECTOR SHALL ASSIST IN THE COORDINATION OF PERMITTING BY FEDERAL, STATE, AND LOCAL GOVERNMENTS OF:**

(a) **RAW WATER DIVERSION, STORAGE, OR DELIVERY PROJECTS, INCLUDING ASSOCIATED HYDROELECTRIC FACILITIES AND BOTH CONSUMPTIVE AND NONCONSUMPTIVE USES OF WATER; AND**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) WATER PROJECTS THAT ARE EITHER:

(I) ASSESSED A WATER QUALITY CERTIFICATION FEE PURSUANT TO SECTION 25-8-502 (1.2), C.R.S.; OR

(II) ELIGIBLE FOR FINANCING FROM THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND CREATED IN SECTION 37-60-121 (1) (a), C.R.S.

(4) NOTHING IN THIS SECTION EITHER GRANTS ANY JURISDICTION TO THE DIRECTOR OVER ANY FEDERAL, STATE, OR LOCAL GOVERNMENT, OR CURTAILS THE JURISDICTION OF ANY FEDERAL, STATE, OR LOCAL GOVERNMENT TO FULFILL ITS STATUTORY RESPONSIBILITIES.

(5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 8, 2016