



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Memorandum

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TO: Water Resources and Agriculture Review Committee

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SUBJECT: Water Resources and Agriculture Review Committee Overview

Summary

This memorandum gives an overview of the Water Resources and Agriculture Review Committee. Specifically, the memorandum discusses the committee charge and membership, Colorado water divisions, and committee members' geographic representation. Recent legislation recommended by the committee is also included as Appendix A.

Committee Overview

Committee Charge

The recently renamed Water Resources and Agriculture Review Committee (WRARC) was created to contribute to and monitor the conservation, use, development, and financing of Colorado's water resources for the general welfare of the state (Section 37-98-102, C.R.S.). In 2022, the committee charge was updated to include Colorado agriculture issues. The committee is also required to review statewide planning for water resources. The WRARC reviews and proposes legislation to further its purpose. In conducting its review, the WRARC consults with experts in the fields of water conservation, quality, use, finance, and development and the field of agriculture.

Membership

The committee is made up of ten members. At least four members of the committee must either reside west of the Continental Divide or represent a legislative district where the majority of the population lies west of the Continental Divide. Members are also to be selected in a way that allows for representation in each water division to the extent possible. Committee members generally serve on the committee for two years. The members are appointed in the following way:

- five members are appointed from the Senate, with three by the President of the Senate and two by the Minority Leader; and

- five members are appointed from the House of Representatives by the Speaker of the House after consultation with the Minority Leader.

During odd-numbered years, the President of the Senate appoints the chair, and the Speaker of the House appoints the vice chair. During even-numbered years, the Speaker of the House appoints the chair, and the President of the Senate appoints the vice chair.

Bill Recommendations

The committee can report up to three bills or other measures to Legislative Council during the interim, to be considered the following session. The WRARC may refer additional bills with a two-thirds vote in favor of going beyond the initial three bills. The committee cannot exceed more than one bill per member, or ten bills.

Committee Meetings and Field Trips

The committee may meet up to six times in even-numbered years and up to eight times in odd-numbered years. No more than two of the meetings may occur while the General Assembly is in session. The committee may also take up to two field trips per year.

Senate Bill 23-010

During the 2022 interim, the WRARC recommended a bill to make the committee a year-round committee rather than an interim committee. The bill makes the following changes:

- specifies that the committee must meet at least four times a year rather than up to six times a year;
- removes the provision limiting the committee to two meetings while the General Assembly is in session; and
- removes the limit of two field trips per year and instead leaves the number of field trips up to the discretion of the chair.

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed. The bill passed unanimously through the House and the Senate and is currently awaiting the Governor's signature.

River Basin Representation

The Colorado Division of Water Resources in the Department of Natural Resources maintains an office in each of the following water divisions, which coincide with the major river basins in Colorado:

- [Division 1](#) – South Platte, Republican, and Laramie River basins
- [Division 2](#) – Arkansas River basin
- [Division 3](#) – Rio Grande River basin, including Costilla Creek
- [Division 4](#) – Gunnison, San Miguel, lower Dolores, and Little Dolores River basins

- [Division 5](#) – mainstem of the Colorado River and major tributaries, including the Fraser, Blue, Eagle, and Roaring Fork Rivers
- [Division 6](#) – Yampa, White, Green, and North Platte River basins
- [Division 7](#) – San Juan and Dolores River basins

A Water Commissioner in each division ensures the water rights priority system is followed and enforces the decrees and water laws of Colorado. Office staff in each division also manage water use to ensure Colorado remains in compliance with interstate and interbasin agreements.

Per state law, the make-up of the committee should attempt to represent each water division. Figures 1 and 2 show the current committee members’ districts and the Colorado river basins with their respective water divisions.

Figure 1
River Basins with Senate Districts

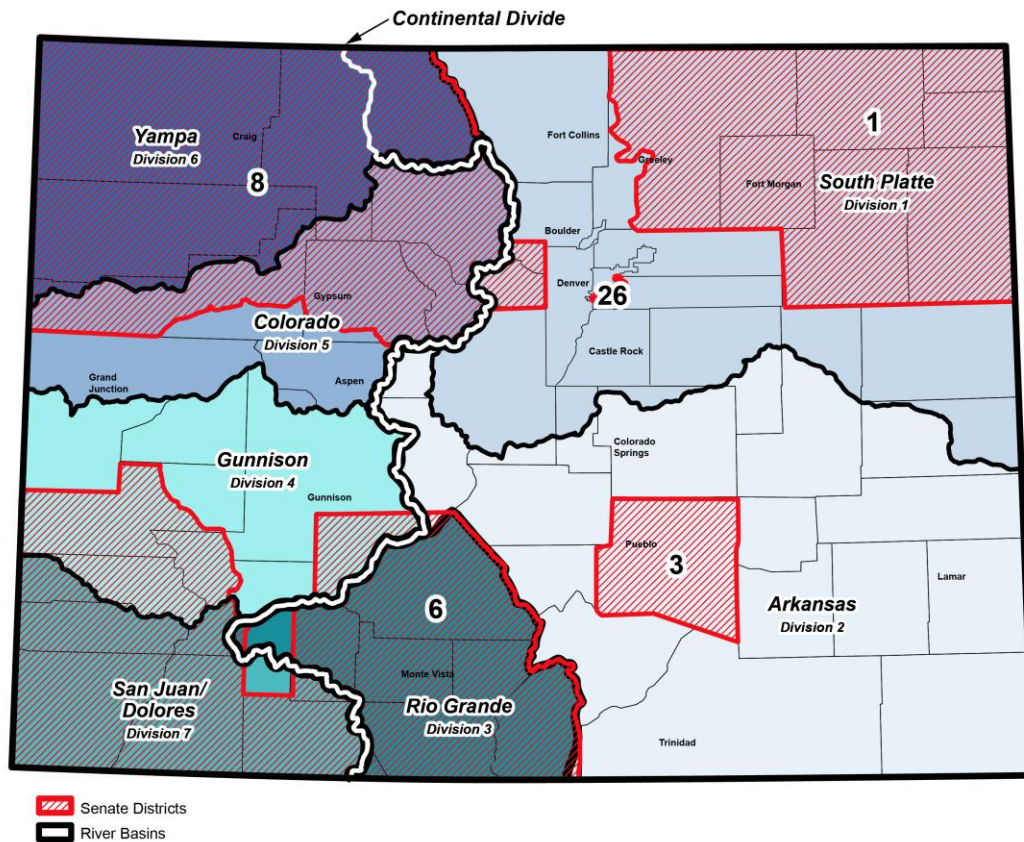
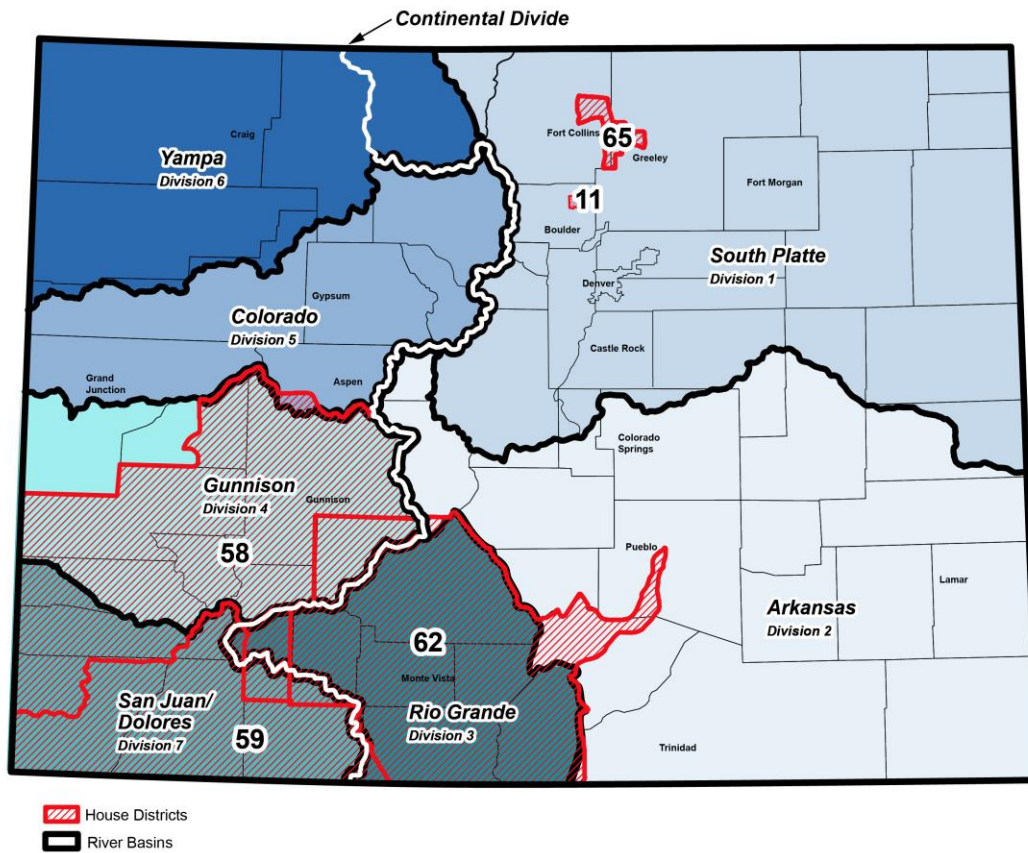


Figure 2
River Basins with House Districts



Other Resources

Listed below are a variety of other resources available to help familiarize committee members with the committee and the topics that it may discuss.

Legislative Council Staff Publications

- [2022 Water Resources and Agriculture Committee Final Report](#)
- [2021 Water Resources Review Committee Final Report](#)
- [2023 Water Handbook](#)
- [Interstate Compacts, Decrees, Memoranda, and Treaties Governing Colorado's Rivers](#)
- [Legislative History of Colorado's Instream Flow Program](#)

Other Entities and Resources

- [The Colorado Water Plan 2023 Update](#)
- [Office of the State Engineer/ Division of Water Resources](#)
- [Colorado Department of Agriculture](#)
- [Colorado Water Conservation Board](#)
- [Colorado Water Quality Control Division](#)
- [Water Education Colorado](#)

Appendix A
Recent WRARC Legislation Enacted by the General Assembly

Bill No.	Title	Description
SB22-028	Groundwater Compact Compliance Fund	This bill created and funded the Groundwater Compact Compliance and Sustainability Fund for groundwater compact compliance and groundwater resource sustainability and conservation purposes.
SB22-030	Expand Water Resources Review Committee to Include Agriculture	The bill expanded the scope of the Water Resources Review Committee to include agriculture issues.
SB20-048	Study Strengthening Water Anti-speculation Law	The bill required the Executive Director of the Department of Natural Resources to convene a work group during the 2020 interim to explore ways to strengthen water anti-speculation law.
SJM19-001	Memorial For Arkansas Valley Conduit	Memorialized the United States Congress to fulfill the commitment of the federal government to provide funding for the Arkansas Valley Conduit Project.
SJM19-002	Corps Of Engineers To Dredge Lower Arkansas River	Memorialized the United States Congress to enact legislation directing the United States Army Corps of Engineers, with the Lower Arkansas Valley Water Conservancy District, to dredge a portion of the Arkansas River.
HB19-1029	Republican River Water Conservation District	This bill expanded the boundaries of the Republican River Water Conservation District to include areas in Cheyenne County where groundwater pumping depletes the flow of the Republican River, as defined by the Republican River Compact Administration groundwater model.
SB19-016	Severance Tax Operational Fund Distribution Methodology	This bill changed the timing and budgeting of severance tax revenue to several grant programs administered by the Department of Natural Resources.
SB18-041	Authorize Water Use Incidental Sand And Gravel Mines	This bill allowed the designated groundwater replacement plan, or the substitute water supply plan and the well permit, to authorize uses of water incidental to open mining for sand and gravel.
SB18-019	Expanded Duration For Colorado Water Resources And Power Development Authority Revolving Loans	The bill removed the 20-year limitation on loans made by the Colorado Water Resources and Power Development Authority from the Water Pollution Control Revolving Fund.

**Appendix A (Cont.)
Recent WRARC Legislation Enacted by the General Assembly**

Bill No.	Title	Description
HB18-1008	Mussel-free Colorado Act	The bill created new financing mechanisms for the Aquatic Nuisance Species Program.
SB18-038	Reclaimed Water Use On Industrial Hemp	This bill codified rules promulgated by the Water Quality Control Commission related to the allowable uses of reclaimed domestic wastewater, and expanded allowable uses to include irrigation of industrial hemp.
HB17-1008	Graywater Regulation Exemption For Scientific Research	This bill authorized the use of graywater for scientific research involving human subjects, and set minimum requirements for conducting such research.
HJR17-1004	Funding Prevent Aquatic Nuisance Species	Concerned funding for the prevention of aquatic nuisance species in Colorado.
HB17-1030	Update 1921 Irrigation District Law	This bill made various updates to the 1921 Irrigation District Law.
SB17-026	State Engineer Statutes Cleanup	This bill made several, mostly non-substantive changes to state statutes related to the State Engineer, including removing obsolete provisions and modernizing language.

The committee did not recommend any legislation during the 2021 regular session since there were no meetings during the 2020 interim.