

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**MEMORIAL A**

LLS NO. M19-0145.01 Richard Sweetman x4333

**SENATE Joint Memorial**

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**SENATE SPONSORSHIP**

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**Esgar,**

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**Senate Committees**

**House Committees**

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**SENATE JOINT MEMORIAL**

101     **MEMORIALIZING THE UNITED STATES CONGRESS TO FULFILL THE**  
102             **COMMITMENT OF THE FEDERAL GOVERNMENT TO PROVIDE**  
103             **FUNDING FOR THE ARKANSAS VALLEY CONDUIT PROJECT.**

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1             WHEREAS, The Arkansas Valley Conduit is a proposed 130-mile  
2 pipeline with spurs that would deliver filtered water ready for treatment  
3 from the Pueblo reservoir to as many as 40 communities and 50,000  
4 people east of Pueblo; and

5             WHEREAS, The Arkansas Valley Conduit was authorized by the  
6 United States Congress as part of the Fryingpan-Arkansas Project in 1962  
7 as a means to address water quality and availability issues in the Arkansas  
8 River basin east of Pueblo, but it was never built, largely because of the  
9 inability of participants to repay construction costs; and

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

1           WHEREAS, In 2009, Congress enacted Pub.L. 111-11, which  
2 added to the original Fryingpan-Arkansas Project legislation a  
3 cost-sharing plan by which the federal government supplies funding for  
4 the project, and the Southeastern Colorado Water Conservancy District  
5 agrees to repay 35 percent of the funding to the federal government over  
6 a period of 50 years; and

7           WHEREAS, Pub.L. 111-11 also allowed miscellaneous revenues,  
8 including excess-capacity contract payments, from the  
9 Fryingpan-Arkansas Project to be applied to the construction of, and  
10 repayment for, the Arkansas Valley Conduit beginning in 2022; and

11           WHEREAS, These payments will initially total about \$3 million  
12 annually, increasing in future years as contract payments rise; and

13           WHEREAS, In 2013, the Southeastern Colorado Water  
14 Conservancy District completed a regional water conservation plan in  
15 support of the Arkansas Valley Conduit project; and

16           WHEREAS, In 2013, the federal Bureau of Reclamation  
17 completed a final environmental impact statement for the project, which  
18 concluded that the Arkansas Valley Conduit would have an overall  
19 positive impact on area water supplies, water quality, and efficiency of  
20 water deliveries; and

21           WHEREAS, In 2014, the federal Bureau of Reclamation issued a  
22 record of decision for the Arkansas Valley Conduit, which established a  
23 route and scope of work for the project; and

24           WHEREAS, In 2017, the federal Bureau of Reclamation  
25 completed a feasibility design report for the Arkansas Valley Conduit;  
26 and

27           WHEREAS, In 2017, the Southeastern Colorado Water  
28 Conservancy District, the federal Bureau of Reclamation, and the Pueblo  
29 Board of Water Works began discussions about a plan to reduce the time  
30 needed to build the Arkansas Valley Conduit; and

31           WHEREAS, The plan is a phased approach that would use excess  
32 capacity in the Pueblo water system to deliver water to the Arkansas  
33 Valley Conduit; and

1           WHEREAS, Most of the prospective participants of the Arkansas  
2 Valley Conduit currently rely on groundwater and are in need of a reliable  
3 supply of fresh water; and

4           WHEREAS, The Arkansas Valley Conduit is intended to provide  
5 safe drinking water to more than 50,000 people whose water supply is  
6 currently contaminated by naturally occurring radionuclides beyond the  
7 standards established by the federal "Safe Drinking Water Act", Pub.L.  
8 93-523; and

9           WHEREAS, Fifteen of the 40 water systems in the Arkansas  
10 Valley Conduit are already in violation of clean water standards due to  
11 the presence of radionuclides; and

12           WHEREAS, These federal standards are intended to protect the  
13 health and safety of the public, and therefore it is within the interest of the  
14 federal government to partner with Colorado and local water providers to  
15 construct the Arkansas Valley Conduit; and

16           WHEREAS, The Colorado department of public health and  
17 environment views the Arkansas Valley Conduit as the preferred method  
18 of dealing with contamination from radionuclides in groundwater; and

19           WHEREAS, The cities of the lower Arkansas valley in Colorado  
20 have awaited the construction of the Arkansas Valley Conduit for  
21 decades; and

22           WHEREAS, Without federal funding, it is beyond the means of  
23 southeastern Colorado, an economically disadvantaged portion of the  
24 state, to construct the Arkansas Valley Conduit; and

25           WHEREAS, The Colorado water conservation board has  
26 committed \$60.6 million toward the construction of the Arkansas Valley  
27 Conduit; and

28           WHEREAS, The Arkansas Valley Conduit is supported by  
29 Colorado's entire Congressional delegation and has always had the full  
30 support of governmental entities at all levels, and no opposition to the  
31 Arkansas Valley Conduit exists; now, therefore,

32           *Be It Resolved by the Senate of the Seventy-second General*  
33 *Assembly of the State of Colorado, the House of Representatives*

1     *concurring herein:*

2             That Congress should act swiftly to fulfill its commitment to  
3 provide sufficient funding to provide for the construction of the Arkansas  
4 Valley Conduit.

5             *Be It Further Resolved,* That copies of this Joint Memorial be sent  
6 to Governor \_\_\_\_\_, to each member of Colorado's Congressional  
7 delegation, to the Colorado Water Conservation Board, to the  
8 Southeastern Colorado Water Conservancy District, to the Pueblo Board  
9 of Water Works, to the federal Bureau of Reclamation, and to the current  
10 Secretary of the Interior.