

## CHAPTER 294

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**HEALTH AND ENVIRONMENT**

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**HOUSE BILL 07-1328**

BY REPRESENTATIVE(S) Fischer, Frangas, Gibbs, Labuda, Levy, and Todd;  
also SENATOR(S) Veiga, Groff, Schwartz, and Tapia.

**AN ACT****CONCERNING THE ESTABLISHMENT OF EDUCATIONAL PROGRAMS REGARDING WATER POLLUTION  
FROM STORM RUN-OFF.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly finds, determines, and declares that:

(a) The primary purpose of storm drains is to carry rain water away from developed areas to prevent flooding;

(b) Storm drains are not connected to sanitary sewer systems or treatment plants; and

(c) Storm water and any pollutants it carries flow directly into rivers, lakes, and streams.

(2) The general assembly further finds and declares that, without appropriate stewardship, pollution, debris, and contaminants may be contained in storm water run-off as a result of human activity and can cause many serious and costly water quality problems, including:

(a) Harm to aquatic life such as fish, amphibians, insects, and plants, as well as disruptions to the food chain due to changes in water chemistry and habitat loss;

(b) Increased levels of erosion of streambanks and streambeds, which in turn cause dislodged sediment and silt to flow downstream and cover or destroy aquatic habitats. Siltation and sedimentation also reduce the capacity of storm drainage systems, obligating local governments to spend more of their limited resources to

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

maintain those systems.

(c) Harm to tourism and recreational activities such as boating, fishing, and swimming and losses to municipalities of revenue and employment opportunities due to contamination of water supply sources and damage to the aesthetics of an affected area;

(d) Human illness due to contact with storm water that can carry disease-causing bacteria, viruses, and protozoa; and

(e) Increased health risks and water treatment costs to residents of municipalities and to other water supplies that use storm water-impacted streams as drinking water supplies.

(3) The general assembly further finds and declares that, due to a lack of awareness of water quality impacts, increases in the level of pollutants and wastes in storm water run-off are often caused by human activities such as:

(a) Washing motor vehicles on nonpermeable surfaces;

(b) Disposal of litter, pet wastes, leaves, and debris in storm drains;

(c) Discarding chemicals such as used oil, antifreeze, pesticides, fertilizers, and paint into storm drains; and

(d) Disturbance of soil and vegetation during construction, grounds maintenance, or landscaping projects.

(4) The general assembly further finds and declares that it is important for the state to encourage local governmental entities to develop educational programs to inform the general public about issues concerning water conservation, storm water pollution, and water quality problems due to day-to-day human activities and the ways in which these problems can be mitigated or prevented.

**SECTION 2.** Part 3 of article 8 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**25-8-310. Education program - storm water.** (1) THE DIVISION MAY DEVELOP EDUCATION PROGRAMS FOR USE BY STATE AND LOCAL GOVERNMENTAL ENTITIES.

(2) THE EDUCATIONAL PROGRAMS DEVELOPED IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION SHALL BE DESIGNED TO INFORM THE PUBLIC ABOUT STORM WATER QUALITY PROBLEMS RESULTING FROM:

(a) THE WASHING OF MOTOR VEHICLES ON NONPERMEABLE SURFACES AND THE ADVANTAGES OF WASHING MOTOR VEHICLES AT CAR WASH FACILITIES THAT COMPLY WITH RECOGNIZED INDUSTRY WATER CONSERVATION AND WATER QUALITY CONTROL STANDARDS;

(b) THE DISPOSAL OF LEAVES, LITTER, PET WASTES, AND DEBRIS IN STREET GUTTERS AND STORM DRAINS;

(c) THE DISPOSAL OF USED OIL, ANTIFREEZE, PAINTS, AND OTHER HOUSEHOLD CHEMICALS IN STORM SEWERS OR DRAINS; AND

(d) SOIL EROSION ON PROPERTY DUE TO LACK OF PLANTING OF GROUND COVER AND STABILIZATION OF EROSION-PRONE AREAS.

(3) THE DIVISION MAY OBTAIN GIFTS, GRANTS, AND DONATIONS TO FUND THE COSTS OF DEVELOPING THE EDUCATION PROGRAMS DESCRIBED IN SUBSECTION (1) OF THIS SECTION. IF THE FUNDING NECESSARY TO COMPLY WITH SAID SUBSECTION (1) IS NOT OBTAINED, THE DIVISION SHALL NOT BE REQUIRED TO COMPLY WITH SAID SUBSECTION (1) UNTIL SUCH FUNDING IS OBTAINED.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 25, 2007