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Opinion: New oil and gas bill puts Colorado water at risk

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More than jobs and the economy are at risk thanks to [legislation on a fast-track in the General Assembly](#). SB 19-181 jeopardizes Colorado's water future and those who depend upon it.

Water is Colorado's most precious natural resource. Colorado has four great rivers originating within its boundaries: the Platte, the Arkansas, the Rio Grande and the Colorado.



Kent Holsinger

Nine interstate compacts, two U.S. Supreme Court decrees and two other agreements govern Colorado water use and how much is owed to 18 downstream states as well as Mexico. Colorado water law reflects Colorado's diverse values.

As a headwaters state, Colorado's water future is unique. Downstream states have keen interests in the water that originates here.



Laura Chartrand

With ever-increasing demands (Colorado's population has grown from 1.7 million in 1960 to 5.6 million today) and pressure from thirsty downstream states, investment in smart water management and use is more important than ever. Unfortunately, SB 19-181 risks funding for these critical water infrastructure projects.

[SB 19-181 is more restrictive](#) than the setbacks initiative that was soundly rejected by the voters only four months ago. Experts predict it will seriously curtail oil and gas exploration and production in Colorado.

This has corresponding impacts to revenues from oil and gas like severance taxes. Less oil and gas production means less tax revenues for the state to spend on critical infrastructure projects.

Ironically, agriculture and the environment could be among the biggest losers.

Agriculture has transformed our state from Daniel Webster's "Great American Desert," into a green, productive splendor of irrigated fields and pastures amidst the backdrop of the Rocky Mountains.

Irrigated agriculture is as important today as when Colorado first became a state in 1876. Colorado is a key part of the nation's breadbasket: it accounts for at least \$1.5 billion in annual exports. Ranching and farming are the backbone of many rural communities.

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But in an arid climate, irrigation depends upon the ability to conserve spring floodwaters and release them later in the summer and fall when many Colorado rivers historically ran dry.

This is critical for recreation and aquatic life. Rafting, fishing and boating depend upon reliable water supplies. And many of the state's gold-medal fisheries rely heavily on water storage.

Without storage and efficient conveyance structures, we may never have known Palisade peaches, Olathe sweetcorn or Rocky Ford melons. Water supplies for cities and towns — particularly along the burgeoning Front Range would also be at risk.

The oil and gas industry contributes over \$600 million of severance taxes and annual ad valorem taxes to the state and to local governments. Among other things, these revenues are critical to furthering Colorado's Water Plan.

In response to studies that identify a significant gap between water needs and existing supplies, Gov. John Hickenlooper called for the creation of the Colorado Water Plan by Executive Order in May 2013.

The plan serves as a blueprint for "a productive economy, vibrant and sustainable cities, productive agriculture, a strong environment and a robust recreation industry."

The plan aims to protect Colorado's compact water (protected by interstate compacts ratified by the federal government) and irrigated agriculture, encouraging water efficiency and the development of storage. Meeting the gap between water supply and demand requires investment.

Severance taxes help finance water projects through the Colorado Water Conservation Board's construction loan program and provide grants for watershed health.

Continued funding for these projects is vital for agriculture, drinking water supplies and the environment. These revenues also fund Colorado's Species Conservation Trust Fund for endangered species recovery and compliance.

Without them, recovery efforts for aquatic species like the greenback cutthroat trout as well as terrestrials like Canada lynx and the black-footed ferret could be jeopardized.

With the leadership of the Colorado Water Conservation Board and the participation of thousands of individuals and hundreds of organizations, Colorado's Water Plan was and continues to be a model for collaboration.

Rather than effectively banning oil and gas development in Colorado and jeopardizing Colorado's water future, we urge legislators, local governments, stakeholders and industry to work collaboratively to address legitimate concerns while continuing to foster responsible energy production and environment protections.

Kent Holsinger is the Manager of Holsinger Law, LLC. He previously served as Assistant Director for Water at Colorado's Department of Natural Resources.

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