

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. R24-1027.01 Jessica Wigent x3701

HJR24-1018

HOUSE SPONSORSHIP

McCluskie,

SENATE SPONSORSHIP

Roberts,

House Committees

Senate Committees

HOUSE JOINT RESOLUTION 24-1018

101 **CONCERNING THE WATER CLARITY OF GRAND LAKE, COLORADO'S**
102 **LARGEST AND DEEPEST NATURAL LAKE.**

1 WHEREAS, Grand Lake is Colorado's largest and deepest natural
2 lake and part of the headwaters to the Colorado River; and

3 WHEREAS, Located near the Continental Divide in the
4 Headwaters of the Colorado River, Grand Lake receives direct, natural
5 inflow of pristine, high-quality waters, which make it an important asset
6 and a natural wonder of the state and nation; and

7 WHEREAS, Grand Lake is used as a component of the
8 Colorado-Big Thompson (C-BT) Project authorized by the United States
9 Congress in 1937; and

10 WHEREAS, The C-BT Project collects water from the Upper
11 Colorado River Basin, including Shadow Mountain Reservoir, and Lake
12 Granby just downstream of Grand Lake, and involves pumping water
13 from these downstream reservoirs into Grand Lake and through the Alva
14 B. Adams Tunnel to northeastern Colorado; this process reverses the
15 natural flow of water and thereby results in less pristine reservoir water

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

1 being introduced into Grand Lake; and

2 WHEREAS, Senate Document No. 80, 75th Congress, 1st Session,
3 authorized the U.S. Bureau of Reclamation (Reclamation) to construct the
4 C-BT Project; and

5 WHEREAS, The U.S. Congress, when it authorized the funding
6 to construct the elements of the C-BT in 1937, acknowledged the need to
7 preserve Grand Lake, the Colorado River, and Rocky Mountain National
8 Park by requiring, through the authorization language codified in Senate
9 Document No. 80, that the C-BT "must be operated in such a manner to
10 most nearly affect the following primary purposes:

- 11 1. To preserve the vested and future rights in irrigation.
- 12 2. To preserve the fishing and recreational facilities and the
13 scenic attractions of Grand Lake, the Colorado River and Rocky
14 Mountain National Park.
- 15 3. To preserve the present surface elevations of the water in
16 Grand Lake and to prevent a variation in these elevations greater
17 than their normal fluctuation.
- 18 4. To so conserve and make use of these waters for irrigation,
19 power, industrial development, and other purposes, as to create the
20 greatest benefit.
- 21 5. To maintain conditions of river flow for the benefit of
22 domestic and sanitary uses of this water."; and

23 WHEREAS, The C-BT, as authorized by Senate Document No. 80
24 and operated by the Northern Colorado Water Conservancy District in
25 collaboration with the U.S. Bureau of Reclamation, provides
26 supplemental water for irrigation to more than 120 ditches and 60
27 reservoirs, serves 29 Colorado communities with municipal and industrial
28 water, and generates electric power that is marketed by the Western
29 Division of the Pick-Sloan Missouri Basin Program from six power
30 plants; Grand Lake also diverts water that serves over one million
31 Coloradans and 615,000 acres of agricultural land, which includes parts
32 of the Greater Denver-Metropolitan Area; and

33 WHEREAS, In 2008, the Colorado Water Quality Control
34 Commission (WQCC) adopted a narrative and 4-meter numeric clarity
35 standard (with a delayed effective date) - the first of its kind in Colorado
36 - in an attempt to improve the clarity of the water in Grand Lake; and

37 WHEREAS, In 2014, the WQCC amended the 2008 Grand Lake

1 Clarity narrative standard to provide that Grand Lake achieve "[t]he
2 highest level of clarity attainable, consistent with the exercise of
3 established water rights, the protection of aquatic life, and protection of
4 water quality throughout the Three Lakes System" and in 2016
5 subsequently adopted clarity goal qualifiers of a 3.8 meter (12.5 feet)
6 average depth and 2.5 meter (or 8.2 feet) daily minimum depth to be met
7 throughout the most important recreational season - from July 1 to
8 September 11 - the times when most pumping from downstream
9 reservoirs occurs delivering water to Grand Lake; and

10 WHEREAS, Northern Water has a contractual relationship with
11 the United States, as defined by its 1938 Repayment Contract and
12 subsequent 2013 Clarity Supplement, that outlines their commitment "to
13 identify and evaluate factors that affect clarity in Grand Lake and to
14 develop a plan in accordance with this Supplement to meet the applicable
15 water clarity standards"; and

16 WHEREAS, In furtherance of the 2013 Clarity Supplement, and
17 in acknowledging the importance of developing a larger cooperative
18 action to address Grand Lake water clarity, in 2016, the U.S. Bureau of
19 Reclamation, the Northern Colorado Water Conservancy District, the
20 Grand County Board of Commissioners, the Northwest Colorado Council
21 of Governments, and the Colorado River Water Conservation District the
22 U.S. Bureau of Reclamation, the Northern Colorado Water Conservancy
23 District, the Grand County Board of Commissioners, the Northwest
24 Colorado Council of Governments, and the Colorado River Water
25 Conservation District signed the "Grand Lake Clarity Stakeholders'
26 Memorandum of Understanding" (MOU) "to establish an adaptive
27 management process for clarity in Grand Lake, to occur concurrent with
28 Reclamation's exploration of alternatives to improve clarity in Grand
29 Lake consistent with federal Principles, Requirements, and Guidelines
30 that guide federal investments in water resources, which MOU was
31 extended to 2026"; and

32 WHEREAS, Since the adoption of the clarity goal qualifiers and
33 the 2016 MOU, Grand Lake Adaptive Management (GLAM) has had
34 some measurable improvements in Grand Lake clarity and an improved
35 understanding of the relationship between water quality and operations
36 that has informed the process, although Grand Lake has not consistently
37 achieved the water clarity goals in the WQCC's standard because annual
38 snowpack and rainfall are still major contributing factors to Grand Lake
39 water clarity; and

1 WHEREAS, Grand County's economy relies on outdoor
2 recreation, tourism, and agriculture, and the Grand County Tourism
3 Board reported visitor days in July, August, and September totaled 4.3
4 million in 2022 and 3.7 million in 2023; and

5 WHEREAS, The collaborative efforts to improve the clarity of the
6 water in Grand Lake, although laudable and ongoing, may be insufficient
7 to consistently meet the clarity-goal qualifiers for Grand Lake; now,
8 therefore,

9 *Be It Resolved by the House of Representatives of the*
10 *Seventy-fourth General Assembly of the State of Colorado, the Senate*
11 *concurring herein:*

12 That we, the members of the Colorado General Assembly:

13 (1) Recognize the importance of Grand Lake and its unique water
14 clarity as an aesthetic, recreational, wildlife, tourist, economic, and
15 historic asset to the state and nation;

16 (2) Recognize the importance of the C-BT project for essential
17 water deliveries to Colorado's northern Front Range and plains region and
18 economy; and

19 (3) Urge the collaborating entities of the 2016 MOU to continue
20 their efforts to establish effective, measurable, demonstrable, and
21 achievable short- and long-term solutions to increase the clarity depths in
22 Grand Lake and meet state-issued clarity standards.

23 *Be It Further Resolved,* That copies of this Joint Resolution be sent
24 to the Town of Grand Lake; Governor Jared Polis; Dan Gibbs, Executive
25 Director of the Department of Natural Resources; Congressman Joe
26 Neguse; Senator Michael Bennet; Senator John Hickenlooper; Grand
27 Lake Adaptive Management (GLAM); the U.S. Bureau of Reclamation;
28 the Northern Colorado Water Conservancy District; the Grand County
29 Board of Commissioners; the Northwest Colorado Council of
30 Governments; and the Colorado River Water Conservation District.