



HOUSE JOINT RESOLUTION 24-1018

BY REPRESENTATIVE(S) McCluskie, Amabile, Bacon, Bird, Boesenecker, Brown, Catlin, Clifford, Daugherty, deGruy Kennedy, Duran, English, Frizell, Froelich, Garcia, Hamrick, Hartsook, Herod, Jodeh, Joseph, Kipp, Lieder, Lindstedt, Lukens, Lynch, Mabrey, Marshall, Martinez, Marvin, McCormick, McLachlan, Pugliese, Ricks, Rutinel, Sirota, Snyder, Soper, Story, Taggart, Titone, Velasco, Vigil, Weinberg, Weissman, Young;
also SENATOR(S) Roberts, Baisley, Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Fields, Gardner, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kirkmeyer, Kolker, Liston, Lundeen, Marchman, Michaelson Jenet, Mullica, Pelton B., Pelton R., Priola, Rich, Rodriguez, Simpson, Smallwood, Sullivan, Van Winkle, Will, Winter F., Zenzinger, Fenberg.

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

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

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

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

WHEREAS, The C-BT Project collects water from the Upper Colorado River Basin, including Shadow Mountain Reservoir, and Lake Granby just downstream of Grand Lake, and involves pumping water from these downstream reservoirs into Grand Lake and through the Alva B. Adams Tunnel to northeastern Colorado; this process reverses the

natural flow of water and thereby results in less pristine reservoir water being introduced into Grand Lake; and

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

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

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

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

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

WHEREAS, In 2014, the WQCC amended the 2008 Grand Lake Clarity narrative standard to provide that Grand Lake achieve "[t]he highest level of clarity attainable, consistent with the exercise of established water rights, the protection of aquatic life, and protection of water quality throughout the Three Lakes System" and in 2016 subsequently adopted clarity goal qualifiers of a 3.8 meter (12.5 feet) average depth and 2.5 meter (or 8.2 feet) daily minimum depth to be met throughout the most important recreational season - from July 1 to September 11 - the times when most pumping from downstream reservoirs occurs delivering water to Grand Lake; and

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

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

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

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

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

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

That we, the members of the Colorado General Assembly:

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

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

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

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

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