



# SUMMARY REPORT

## *of Interim Committee Activities*

November 2023

### Water Resources and Agriculture Review Committee

**Committee Members:** Senator Dylan Roberts, Chair, Representative Karen McCormick, Vice-chair  
Senators Jeff Bridges, Nick Hinrichsen, Byron Pelton, and Cleave Simpson  
Representatives Marc Catlin, Mike Lynch, Matthew Martinez, and Barbara McLachlan

### Committee Charge

The committee is authorized to review water and agriculture issues and propose legislation related to the conservation, use, development, and financing of Colorado's water and agricultural resources. In conducting its review, the committee is required to consult with experts in the field of water conservation, quality, use, finance, and development. The committee is also required to review statewide planning for water resources.

### Calendar of Events

#### March 8, 2023

- Presentation about stream restoration
- Briefing on interstate water compacts

#### April 5, 2023

- Discussion of rulemaking on water quality standards

#### June 6-7, 2023

- Yampa River Basin tour

#### July 27-28, 2023

- San Luis Valley tour

#### August 22-24, 2023

- Colorado Water Congress Summer Conference

#### August 23, 2023

- Colorado River update
- Briefing on Waters of the United States (WOTUS)
- Presentation on freshwater carbon mechanisms

#### September 11, 2023

- Discussion of Veterinary mid-level professional proposal
- Veterinary economic data and FDA law & liability overview
- Discussion of masters of veterinary clinical care programs
- Briefing on AlignCare model and veterinary telehealth
- Discussion of production animal and shelter medicine, and low-cost access to care
- Discussion of perspectives from the Colorado veterinary field

#### September 12, 2023

- Briefing on EPA pesticide regulation
- Briefing on pesticide regulation in Colorado
- Discussion of federal livestock antibiotic regulations
- Discussion of impacts of conservation on water rights



- Briefing of the status of gray wolf reintroduction
- Discussion of tribal nation water rights in Colorado

October 30, 2023

- Denver Metro area tour

October 31, 2023

- Presentation on non-functional turf
- Federal farm bill update
- Discussion of public rights on rivers
- Briefing on stream restoration
- Update from Colorado River Drought Task Force
- Briefing on Colorado's Airborne Snowpack Monitoring Program

### Recommended Legislation

As a result of committee discussion and deliberation, the committee recommends the following bills for consideration in the 2024 legislative session.

#### ***Bill A – Veterinary Technician Scope of Practice***

The bill allows veterinary technicians to receive a designation as a veterinary technician specialist (VTS) starting January 1, 2026, and provides title protection for VTSs. Prior to this date, the bill requires the Board of Veterinary Medicine in the Department of Regulatory Agencies (DORA) to establish a process for credentialing VTSs. DORA is prohibited from charging an additional fee for registration as a VTS, or charging a higher registration fee for specialists than for veterinary technicians.

#### ***Bill B – Authorize Conservancy District Water Management***

This bill adds commercial uses to the purposes for which a district court may establish a water conservancy district. Under current law, courts may only establish a district for agricultural, municipal, or industrial uses. The bill expands the powers of a board of directors of a water conservancy district to:

- participate in a plan for augmentation and, in conjunction with the plan, manage, control, deliver, use, and distribute water;
- contract services for the use and reuse of water and the retirement of wells;
- enter long-term contracts with public and private entities, and avail itself of public assistance from federal, state, and local governments; and
- establish a water activity enterprise.



### ***Bill C - Agriculture & Natural Resources Public Engagement Requirement***

The bill requires the Governor-appointed members of the Parks and Wildlife Commission, the Colorado Water Conservation Board, and the Colorado Agricultural Commission to hold two public, in-person meetings each year. The Department of Natural Resources and the Department of Agriculture must track and report the meetings of board members and commissioners, and reimburse members for reasonable costs to conduct public meetings.

### ***Bill D - Prohibit Landscaping Practices for Water Conservation***

Beginning January 1, 2025, the bill prohibits local governments or home owners' associations from installing, planting, or placing nonfunctional turf, artificial turf, or invasive plant species on any commercial, institutional, or industrial property or a transportation corridor. Further, the Department of Personnel and Administration must not use prohibited landscaping in construction and renovation projects on state facilities.

### ***Bill E - Providing Veterinary Services Through Telehealth***

The bill establishes a framework for the delivery of veterinary services through telemedicine. The Board of Veterinary Medicine in DORA is authorized to adopt rules regarding the use of telemedicine to provide veterinary services. Additionally, the bill requires a person to be licensed to practice veterinary medicine in Colorado in order to practice veterinary telemedicine.

### ***Bill F - Study Green Infrastructure for Water Quality Management***

The bill requires that the Colorado Department of Public Health and Environment (CDPHE) study the feasibility of substituting green infrastructure, a planned and managed network of natural green spaces, for traditional centralized wastewater and drinking water treatment mechanisms.

The feasibility study must be completed by December 31, 2025. A progress report on the study must be presented by July 1, 2025 to the Water Resources and Agriculture Review Committee. After completing the study, the CDPHE must establish one or more pilot programs to demonstrate the use of green infrastructure as an alternative compliance program supported with environmental-focused funding. The CDPHE must coordinate with the University of Colorado and Colorado State University to conduct the study and to develop and provide technical assistance to the pilot programs.

### ***Bill G - Local Authority Enforce Violation of Noxious Weed Act***

The bill allows for additional local enforcement of the Colorado Noxious Weed Act. Specifically, it allows each board of county commissioners to assess and collect fines for violations of local laws that require management of noxious weeds. In addition, under state law, the bill allows violations of the Noxious Weed Act, or any state or local regulation under the act, to be charged in county court as a civil infraction. This civil infraction is in addition to, not a replacement of, the authority of the Commissioner of Agriculture to issue civil penalties for violations of the act.



### ***Bill H - Authorizing Direct-to-Consumer Sales of Raw Milk***

In current law, the sale of raw, unpasteurized milk is prohibited. The bill legalizes the sale of raw cow or goat milk when it is sold directly to consumers at the point of production, the consumer's residence, or at a farmer's market or roadside market. To sell raw milk, a raw milk producer must be registered with the CDPHE, which, in conjunction with the Department of Agriculture, must establish handling, storage, labelling, and transportation requirements for the sale of raw milk by rule. The Department of Agriculture may investigate raw milk producers and apply a civil penalty or embargo to a producer that violates the program's requirements.

### ***Bill I - Extend Wild Horse Project Appropriation Timeline***

Senate Bill 23-275 created programs in the Department of Agriculture to support the management of wild horses in Colorado. A portion of this bill gave the department, with approval from the U.S. Bureau of Land Management, the authority to manage wild horse populations using fertility control management methods and support on-range stewardship and management of wild horse ranges. This authority is set to repeal July 24, 2024.

Bill I extends the repeal date to December 31, 2025.