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Dear Members of House Energy and Environment Committee,

I'm writing to convey Conservation Colorado's involvement with HB23-1221, Water Quality Data Standards. The proponents solicited our input early in the process and have been responsive to our feedback. We thank them for their outreach, and are in the position of Amend.

For background, Total Maximum Daily Loads (TMDLs) are a calculation of pollutants allowed into a waterbody listed as "impaired" under the Clean Water Act's section 303(d) and serves as the starting point, or planning tool for restoring water quality. If disputes arise around the calculations for TMDLs, there are existing legal pathways for resolving those disputes.

Conservation Colorado has worked with partners to develop suggested language that is being offered as Amendment L001. While we are comfortable with this language, we have overarching concerns that this statutory requirement to develop written guidance specific to TMDLs addressing water quality data collection best practices will be a complicated and time consuming process. For example, the federal government has not been able to come to an agreement on a single best practice. The Water Quality Control Division at CDPHE is already overburdened and under-resourced, and our concern is that forcing Colorado to take on this challenging and complex task will divert time and money away from CDPHE's 10-year water quality road map in addition to other efforts aiming to protect our state's water supplies.

Again, we appreciate the proponents' outreach and acceptance of our suggested feedback, but without clearly articulating why communities across the state need statutory change opposed to working through the existing pathways, we remain concerned.

Sincerely,  
Josh Kuhn