



Want to support a billKatherine Delanoy to: committees.lcs.ga 04/11/2023 10:36 AM
History:This message has been replied to.

I was not able to submit my comments on-line.
I hope you can forward the following.

I am completely in favor of SB23-270, which will make a real difference in the health of our streams,
which is a critical part of our fight against drought and wildfires. One good winter is not going to
solve the many problems that our streams are facing.
Please pass this bill.

Katherine Delanoy
P.O. Box 144
Eagle, CO 81631

kay.delanot@gmail.com

23-270

Testimony in Support of SB23-270

April 12, 2023

Mr. Chair and members of the committee,

Thank you for the opportunity to submit written testimony. Business for Water Stewardship expresses support for SB 270 as proposed. Ecological restoration projects deliver key benefits that address critical water and climate challenges facing Colorado. Low-tech projects, for example, that restore wetlands, forests, and river habitat, have been shown to improve water availability, enhance water quality, and increase fire resilience. Taken collectively, large-scale forest, river, and wetland restoration actions are a key tool that will help mitigate pressing water and climate challenges while benefiting Colorado communities, and saving taxpayers billions of dollars.

Efforts in Colorado to restore ecological processes in rivers and wetlands are hampered by unnecessary regulatory hurdles that delay implementation, increase cost, and reduce the scale of impact. Businesses are increasingly seeking to invest private funding to restore the ecological function of streams and rivers in Colorado to help the state secure a resilient and predictable water future. Recent examples include corporate funding dedicated to support the Windy Gap Bypass project on the Upper Colorado, investments in projects that restore flow to the 15-Mile Reach on the Colorado River, and funding in support of low-tech restoration on Trail Creek in the Gunnison River basin. These business investments helped leverage other state and federal funding to address climate resilience needs for Colorado.

Currently, there are billions of federal dollars available to address water availability, water quality, fire mitigation, and climate resilience projects—but these funds must be spent or obligated by 2026. Colorado faces a once in a generation opportunity to access and leverage federal funds to create a resilient water future. However, policy barriers limit the state's ability to queue up projects that can leverage these funds and scale up Colorado's water and climate resilience. Addressing policy barriers and streamlining policies to facilitate and encourage project development and implementation is a critical step to ensuring resilience and long term economic viability and livability in Colorado.

Business for Water Stewardship supports efforts to reduce policy barriers that limit our ability to scale up restoration actions that deliver climate, water, and fire resilience outcomes for Colorado. We encourage members of the Colorado legislature to address policies and regulatory hurdles that slow restoration projects and impede opportunities for Colorado to fully leverage federal funding.

We support Senate Bill 270 as introduced and will continue to advocate for smart water policy. Thank you for your attention to this important issue and we look forward to working with everyone as this bill proceeds.

Senate Agriculture & Natural Resources
 04/13/2023 01:30 PM
 SB23-270 Projects To Restore Natural Stream Systems
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Kathleen Howe For herself	<p>Thank you for hearing my testimony. I live in the Town of Paonia, on the Western Slope. Our town’s drinking water comes from springs on the side of Lamborn and Landsend mountains in the West Elks. I am in favor of SB23-270. The restoration of streams in our watershed will help recharge the underground storage capacity for groundwater and extend the capacity for abundant water through the drier months of August through October. I am in favor of stream restorations throughout Colorado that encourage the repopulation of beaver. Beavers are a keystone species and have been shown to be highly beneficial for re-greening and re-watering degraded stream systems. This bill is a step in a positive direction for Colorado’s streams, watersheds, and ultimately for the Colorado River headwaters that originate on the Western Slope region. I respectfully submit my testimony in favor of SB23-270, Projects to Restore Natural Stream Systems.</p>
Amy Sanchez Raaz For Business for Water Stewardship	<p>Efforts in Colorado to restore ecological processes in rivers and wetlands are hampered by unnecessary regulatory hurdles that delay implementation, increase cost, and reduce the scale of impact. Businesses are increasingly seeking to invest private funding to restore the ecological function of streams and rivers in Colorado to help the state secure a resilient and predictable water future. Recent examples include corporate funding dedicated to support the Windy Gap Bypass project on the Upper Colorado, investments in projects that restore flow to the 15-Mile Reach on the Colorado River, and funding in support of low-tech restoration on Trail Creek in the Gunnison River basin. These business investments helped leverage other state and federal funding to address climate resilience needs for Colorado.</p> <p>Currently, there are billions of federal dollars available to address water availability, water quality, fire mitigation, and climate resilience projects—but these funds must be spent or obligated by 2026. Colorado faces a once in a generation opportunity to access and leverage federal funds to create a resilient water future. However, policy barriers limit the state’s ability to queue up projects that can leverage these funds and scale up Colorado’s water and climate resilience. Addressing policy barriers and streamlining policies to facilitate and encourage project development and implementation is a critical step to ensuring resilience and long term economic viability and livability in Colorado.</p> <p>Business for Water Stewardship supports efforts to reduce policy barriers that limit our ability to scale up restoration actions that deliver climate, water, and fire resilience outcomes for Colorado. We encourage members of the Colorado legislature to address policies and regulatory hurdles that</p>

	<p>slow restoration projects and impede opportunities for Colorado to fully leverage federal funding.</p> <p>We support Senate Bill 270 as introduced and will continue to advocate for smart water policy. Thank you for your attention to this important issue and we look forward to working with everyone as this bill proceeds.</p> <p>Signed businesses: Denver Metro Chamber of commerce Bonsai Designs Colorado Contractors Craig Chamber of Commerce</p>
<p>Joel Sholtes Amend themselves</p>	<p>Joel, Sholtes, PhD, PE, Asst. Teaching Prof. at Civil Engineering at CU Boulder. I have studied how stream restoration influences water and sediment for over 15 years.</p> <p>I have some concerns about the wording of this bill and question if it has been fully vetted by the stream restoration practitioner community. Some restoration practices may locally alter a stream’s hydrograph by altering where and for how long water is distributed within a river/floodplain corridor. Whether or not this is measurable (i.e., within a flume) is still up for scientific debate. Some practices will not impact a stream’s hydrograph, and some practices aim to reduce the peak of flood hydrographs (flood attenuation, an important ecosystem service of unimpaired streams) without (measurably) altering the balance of water flowing into and out of the restoration project.</p> <p>I would encourage the committee to amend the legislation to allow for a pilot period for up to two years and allow for the stream restoration community to fully vet the law and process, see how it is implemented, and understand the nuances of working in dynamic and ever-changing stream systems.</p> <p>Point 1. 37-92-602. SECTION 2(9)(I) Minor Stream Restoration Activities - A common restoration practice, especially in urban and sub-urban settings is re-designing channel cross sections (mechanical grading) and planform to reduce erosive energy of stream flow (in an incised channel) and allow for more frequent floodplain inundation (no designed ponding or retention of water). This practice typically does not pond or detain water. It is an important practice for channel stabilization, habitat goals, and flood attenuation. I recommend this practice fall under “Minor Stream Restoration Activities”.</p>

	<p>Point 2</p> <p>37-92-602. SECTION 2(9)(I)(C)STABILIZING AN EPHEMERAL OR INTERMITTENT NATURAL STREAMS</p> <p>- Wet Meadow Restoration (sod speed bumps, Zeedyck structures, riparian re-veg) often occurs in system that flows intermittently. I am curious about the interpretation of intermittent (flows seasonally). Some systems in their degraded (incised channel) condition flow perennially, whereas in their restored condition (meadow) may flow only intermittently.</p> <p>Point 3.</p> <p>The ¼ acre per structure and 8 acres per mile of surface water should be evaluated at base flow (not flood or storm flow) conditions in late summer, such as at or near September 30th. Acreage should be based on project design and not conditions after project completion.</p>
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April 5, 2023

The Honorable Senator Dylan Roberts
200 E Colfax, RM 346
Denver, CO 80203

Dear Senator Roberts,

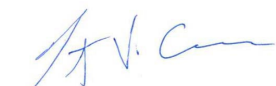
We are writing today to express our strong support of SB23-270, Projects to Restore Natural Stream Systems. Here in Routt County, stream restoration projects along the Yampa River and its tributaries have had many positive outcomes without causing material injury to vested water rights. These projects have the capacity to mitigate impacts from flooding and wildfires, create and enhance riparian habitats, and improve water quality and watershed health.

As identified in the bill, “stream restoration projects are an essential tool for wastewater and storm water dischargers to meet regulatory obligations.” Such is the case in Steamboat Springs where the City is using stream restoration and river shading to combat temperature exceedances downstream from the wastewater treatment plant along the Yampa River. In addition to ecological benefits, using a natural climate solution like stream restoration has economic benefits. In this case, it is saving the taxpayers millions of dollars by avoiding the need to install costly, and energy-consumptive, mechanical solutions to these exceedances.

We are pleased that the bill includes significant protections for existing water users and that it provides ample opportunity for objection to stream restoration projects. Because the objection process is modeled after the well-known and understood Division of Water Resources household well and storm water detention pond processes, we are confident that existing water users will be able to engage, and object, in a timely way if they feel a stream restoration project would cause material injury to their water right.

Thank you for your consideration. As always, please do not hesitate to contact us if our testimony on this bill would be helpful.

Sincerely,



Timothy V. Corrigan
District I



Tim Redmond
District II



Sonja Macys
District III

CC: Senate Agriculture & Natural Resources Committee

Written Testimony of Ryan C. Messinger
Colorado Senate Agriculture and Natural Resources Committee

SB 23-270

Thursday, April 13, 2023

Dear Chairman Roberts, Vice-chairman Hinrichsen, and members of the committee,

My name is Ryan Messinger, I am the Natural Climate Solutions Projects Manager for Yampa Valley Sustainability Council in Steamboat Springs, CO. I am writing to you today to voice my support of SB 23-270 - Projects to Restore Natural Stream Systems.

My work at Yampa Valley Sustainability Council utilizes land-based actions to create resiliency and target carbon emissions in our landscapes. Throughout my years of practice, streams and wetlands have been identified as a priority focus for this work, as restoring these systems supports socio-economic and ecological benefits such as wildfire mitigation, drought resiliency, flood safety, carbon sequestration, wildlife habitat, and numerous others. As I write to you today, floods have partially submerged the nearby town of Hayden, CO, a natural disaster resulting from a changing climate and compounded by inadequate action on restoring natural stream systems. When our water resources suffer, our communities and ways of life are threatened.

Yampa Valley Sustainability Council has partnered with the US Forest Service, Colorado Parks and Wildlife, Trout Unlimited, and others to implement projects aimed at restoring stream functions in NW Colorado to the benefit of our communities and our landscapes. This includes work in California Park on the Routt National Forest using rock structures to revive wet meadows, which serve multiple ecosystem services such as habitat for numerous native species, carbon sinks to help offset emissions, sediment dispersal to protect downstream infrastructure, and increasing baseflows to nearby streams. We have also constructed beaver dam analogs on state wildlife areas that have been shown to cool water temperatures, increase water availability to downstream users, and provide firebreaks in our forests. While these projects have proven their numerous social and ecological benefits, their legality remains unclear.

Working within the confines of the current legal framework of stream restoration has forced Yampa Valley Sustainability Council and our partners to reduce the scale and potential impact of our projects. Ambiguity surrounding harm to existing water rights, what constitutes an “unnecessary obstruction”, and what legal pathway to follow for implementing these projects are just some of the hurdles we currently face while attempting to restore natural function to our most precious resource. While this bill still provides protection to water right holders in stream systems, as it should, it also creates a clearer path for practitioners to acquire the necessary approval of the State, it better defines the scope of work projects should pursue, and it allows for objections from the community to be heard and addressed in a timely manner. While the skepticism opposing this bill is understandable, it should be met with the scientific and empirical proof that restoring streams systems to their natural function is the correct way to move forward in addressing the dire water issues in our state.

Thank you for your time and consideration, and I hope this testimony has given you substantial reasoning to move forward with SB 23-270.

Sincerely,

Ryan Messinger

Natural Climate Solutions Projects Manager

Yampa Valley Sustainability Council