

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

REVISED

LLS NO. R24-1027.01 Jessica Wigent x3701

HJR24-1018

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Senate Committees

House 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

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.

SENATE
Final Reading
February 27, 2024

HOUSE
Amended Final Rdg
February 26, 2024

1 from these downstream reservoirs into Grand Lake and through the Alva
2 B. Adams Tunnel to northeastern Colorado; this process reverses the
3 natural flow of water and thereby results in less pristine reservoir water
4 being introduced into Grand Lake; and

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

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

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

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

36 WHEREAS, In 2008, the Colorado Water Quality Control
37 Commission (WQCC) adopted a narrative and 4-meter numeric clarity
38 standard (with a delayed effective date) - the first of its kind in Colorado

1 - in an attempt to improve the clarity of the water in Grand Lake; and

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

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

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

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