



HOUSE JOINT RESOLUTION 16-1002

BY REPRESENTATIVE(S) Coram and Mitsch Bush, Becker J., Brown, Buck, Court, DelGrosso, Esgar, Garnett, Ginal, Hamner, Joshi, Landgraf, Lawrence, Leonard, Lentine, Lundeen, Melton, Moreno, Navarro, Neville P., Pettersen, Priola, Ransom, Ryden, Saine, Salazar, Singer, Thurlow, Tyler, Van Winkle, Vigil, Willett, Williams, Windholz, Winter, Young;

also SENATOR(S) Baumgardner, Roberts, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Scheffel, Scott, Sonnenberg, Steadman, Tate, Todd, Woods.

**CONCERNING TIMELY ACCESS TO FEDERAL LANDS
FOR DAM RESTORATION PROJECTS.**

WHEREAS, Colorado faces an increasing gap between water supply and demand that could reach a statewide shortfall totaling 500,000 acre-feet or more by 2050; and

WHEREAS, Water storage is paramount as a means to address this increasing gap in Colorado; and

WHEREAS, Reservoirs used for water storage and the dams and other structures used to retain water within them should be operated and maintained in a manner to maximize their water storage capacity; and

WHEREAS, The General Assembly has authorized the State Engineer to inspect dams routinely to determine the safe storage level of reservoirs; and

WHEREAS, When, upon inspection, the State Engineer determines that the condition of a dam is unsatisfactory and the dam is in need of repair or rehabilitation, the State Engineer will restrict the water level behind the dam for safety purposes, thus limiting the reservoir's storage capacity; and

WHEREAS, It is imperative for the purpose of maximizing our state's water storage capacity that any dam put under restriction be restored to a satisfactory condition as soon as practicable to remove the storage restriction; and

WHEREAS, In order to access a dam or other water storage structure for maintenance, repairs, or rehabilitation, an owner or operator of the structure located on or requiring access through federal land must seek permission, sometimes in the form of a special use permit, from the federal agency managing the land; and

WHEREAS, In Colorado, there is variation in the extent of communication and cooperation between local branches of federal land management agencies and owners or operators of dams or other water storage structures regarding access to the water structure to maintain, repair, or rehabilitate the structure; and

WHEREAS, This lack of communication in some instances has caused problems and, thus, counteracts efforts to maximize our state's water storage capacity and protect water quality and critical natural resources; and

WHEREAS, Lack of cooperation and communication could further exacerbate the deteriorating condition of the structure, potentially increasing both the cost to restore the structure to a satisfactory condition and the risk the deteriorating structure poses to the safety of the citizens of Colorado; now, therefore,

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

That we, the members of the Colorado General Assembly, urge federal agencies, specifically the United States Forest Service and the Bureau of Land Management, to communicate and work cooperatively on requests for permission to access a dam or other water storage structure when the purpose of accessing the water storage structure is to maintain, repair, or rehabilitate the water storage structure.

Be It Further Resolved, That copies of this Resolution be sent to members of Colorado's congressional delegation, the Chief of the United States Forest Service, and the Director of the Bureau of Land Management.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE