

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-1041.01 Renee Leone x2695

SENATE BILL 25-283

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A BILL FOR AN ACT

101 **CONCERNING THE COLORADO WATER CONSERVATION BOARD**
102 **OPERATIONS, AND, IN CONNECTION THEREWITH, FUNDING**
103 **PROJECTS AND MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill appropriates the following amounts for the 2025-26 state fiscal year from the Colorado water conservation board (CWCB) construction fund to the CWCB or the division of water resources in the department of natural resources for the following projects:

- Continuation of the satellite monitoring system, \$380,000

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
3rd Reading Unamended
April 23, 2025

SENATE
2nd Reading Unamended
April 22, 2025

- (section 1 of the bill);
- Continuation of the floodplain map modernization program, \$500,000 (section 2);
- Continuation of the weather modification permitting program, \$500,000 (section 3);
- Continuation of the Colorado Mesonet project, \$200,000 (section 5);
- Continuation of the water forecasting partnership project, \$2,000,000 (section 6);
- Continuation of the Arkansas river decision support program, \$300,000 (section 7);
- Continuation of technical assistance for the federal irrigation improvement cost-sharing program, \$500,000 (section 8);
- Decision support systems model enhancements to support the Colorado water plan, \$1,000,000 (section 9);
- Support for the basin implementation plan analysis and updates, \$4,500,000 (section 10);
- Continuation of the Colorado watershed restoration and wildfire ready watershed programs, \$5,000,000 (section 11);
- Support for a statewide turf analysis, \$1,400,000 (section 12);
- Support for the Yampa river and Walton creek confluence restoration project, \$2,000,000 (section 14); and
- Support for the south fork focus zone irrigated acreage retirement, \$6,000,000 (section 15);

Section 4 directs the state treasurer to transfer up to \$2,000,000 from the CWCB construction fund to the CWCB litigation fund on July 1, 2025.

Section 13 directs the state treasurer to transfer \$500,000 from the CWCB construction fund to the plant health, pest control, and environmental protection cash fund on July 1, 2025, and makes an appropriation of that amount to the department of agriculture for use by the conservation services division for the Colorado soil health program.

Section 16 authorizes the CWCB to make a loan in an amount of \$12,978,500 from the severance tax perpetual base fund to the North Poudre Irrigation Company to support the park creek expansion project.

Section 17 appropriates \$29,200,000 from the water plan implementation cash fund to the CWCB to award grants that will help implement the state water plan.

Sections 18, 19, 20, and 21 eliminate the office of water conservation under the CWCB and the water efficiency grant program, transfer remaining money from the water efficiency grant program cash fund to the severance tax perpetual base fund, and make conforming

amendments accordingly.

Current law authorizes the governor to appoint a director of compact negotiations. **Section 22** states that the governor or the executive director of the department of natural resources shall appoint the director of compact negotiations within 30 days after a vacancy of the position.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Continuation of the satellite monitoring system**

3 **- operation and maintenance - appropriation.** (1) For the 2025-26
4 state fiscal year, \$380,000 is appropriated to the department of natural
5 resources for use by the division of water resources. This appropriation
6 is from the Colorado water conservation board construction fund created
7 in section 37-60-121, C.R.S. To implement this section, the division of
8 water resources may use this appropriation to install, maintain, and
9 operate satellite-monitored stream gauges and lysimeters for water rights
10 administration and data collection pursuant to section 37-80-102 (10),
11 C.R.S.

12 (2) The money appropriated in subsection (1) of this section
13 remains available for the designated purposes until it is fully expended.

14 **SECTION 2. Continuation of the Colorado floodplain map**

15 **modernization program - appropriation.** (1) For the 2025-26 state
16 fiscal year, \$500,000 is appropriated to the department of natural
17 resources for use by the Colorado water conservation board. This
18 appropriation is from the Colorado water conservation board construction
19 fund created in section 37-60-121, C.R.S. To implement this section, the
20 Colorado water conservation board may use this appropriation to continue
21 to assist with the preparation of revised and improved floodplain studies
22 and maps for communities throughout Colorado and participate in
23 federally sponsored floodplain map modernization activities.

1 (2) The money appropriated in subsection (1) of this section
2 remains available for the designated purposes until it is fully expended.

3 **SECTION 3. Continuation of the weather modification**
4 **permitting program - appropriation.** (1) For the 2025-26 state fiscal
5 year, \$500,000 is appropriated to the department of natural resources for
6 use by the Colorado water conservation board. This appropriation is from
7 the Colorado water conservation board construction fund created in
8 section 37-60-121, C.R.S. To implement this section, the Colorado water
9 conservation board may use this appropriation to assist water
10 conservation and conservancy districts with the development of cloud
11 seeding programs to provide benefits to recreation, streams, and
12 reservoirs through snowpack enhancement.

13 (2) The money appropriated in subsection (1) of this section
14 remains available for the designated purposes until it is fully expended.

15 **SECTION 4. Restoration of litigation fund cash balance -**
16 **appropriation.** On July 1, 2025, the state treasurer shall transfer
17 \$2,000,000, or so much thereof as may be necessary to restore the balance
18 of the litigation fund to \$2,000,000, from the unreserved cash in the
19 Colorado water conservation board construction fund created in section
20 37-60-121, C.R.S., to the litigation fund created in section 37-60-121
21 (2.5), C.R.S., to assist in addressing legal issues associated with compact
22 compliance or any other litigation activities as specified under section
23 37-60-121, C.R.S.

24 **SECTION 5. Continuation of the Colorado Mesonet project**
25 **- appropriation.** (1) For the 2025-26 state fiscal year, \$200,000 is
26 appropriated to the department of natural resources for use by the
27 Colorado water conservation board. This appropriation is from the

1 Colorado water conservation board construction fund created in section
2 37-60-121, C.R.S. To implement this section, the Colorado water
3 conservation board may use this appropriation to support the Colorado
4 Mesonet, including for the following activities: Operation, maintenance,
5 travel, communications, and database and website management for
6 temperature and precipitation stations.

7 (2) The money appropriated in subsection (1) of this section
8 remains available for the designated purposes until it is fully expended.

9 **SECTION 6. Continuation of the water forecasting**
10 **partnership project - appropriation.** (1) For the 2025-26 state fiscal
11 year, \$2,000,000 is appropriated to the department of natural resources
12 for use by the Colorado water conservation board. This appropriation is
13 from the Colorado water conservation board construction fund created in
14 section 37-60-121, C.R.S. To implement this section, the Colorado water
15 conservation board may use this appropriation to support the development
16 of new ground and aerial remote sensing data, to develop hydrologic
17 modeling practices, to provide reliable volumetric water supply
18 forecasting, and to provide better characterization of snowpack.

19 (2) The money appropriated in subsection (1) of this section
20 remains available for the designated purposes until it is fully expended.

21 **SECTION 7. Continuation of the Arkansas river decision**
22 **support program - appropriation.** (1) For the 2025-26 state fiscal year,
23 \$300,000 is appropriated to the department of natural resources for use
24 by the Colorado water conservation board. This appropriation is from the
25 Colorado water conservation board construction fund created in section
26 37-60-121, C.R.S. To implement this section, the Colorado water
27 conservation board may use this appropriation to continue implementation

1 efforts identified in the Arkansas river decision support system (ArkDSS)
2 feasibility study completed in December 2011.

3 (2) The money appropriated in subsection (1) of this section
4 remains available for the designated purposes until it is fully expended.

5 **SECTION 8. Continuation of technical assistance for federal**
6 **irrigation improvement cost-sharing program - appropriation.**

7 (1) For the 2025-26 state fiscal year, \$500,000 is appropriated to the
8 department of natural resources for use by the Colorado water
9 conservation board. This appropriation is from the Colorado water
10 conservation board construction fund created in section 37-60-121,
11 C.R.S. To implement this section, the Colorado water conservation board
12 may use this appropriation to provide technical assistance for applicants
13 seeking competitive federal grant funds.

14 (2) The money appropriated in subsection (1) of this section
15 remains available for the designated purposes until it is fully expended.

16 **SECTION 9. Decision support systems model enhancements**
17 **to support the Colorado water plan - appropriation.**

18 (1) For the 2025-26 state fiscal year, \$1,000,000 is appropriated to the department of
19 natural resources for use by the Colorado water conservation board. This
20 appropriation is from the Colorado water conservation board construction
21 fund created in section 37-60-121, C.R.S. To implement this section, the
22 Colorado water conservation board may use this appropriation to support
23 efforts to refine and extend the existing decision support systems model
24 and to complete technical updates to the Colorado water plan.

25 (2) The money appropriated in subsection (1) of this section
26 remains available for the designated purposes until it is fully expended.

27 **SECTION 10. Basin implementation plan analysis and**

1 **updates - appropriation.** (1) For the 2025-26 state fiscal year,
2 \$4,500,000 is appropriated to the department of natural resources for use
3 by the Colorado water conservation board. This appropriation is from the
4 Colorado water conservation board construction fund created in section
5 37-60-121, C.R.S. To implement this section, the Colorado water
6 conservation board may use this appropriation to support updated efforts
7 to evaluate baseline data to determine existing and future water demand
8 and supply to develop an updated basin implementation plan for each of
9 the 8 major river basins across the state.

10 (2) The money appropriated in subsection (1) of this section
11 remains available for the designated purposes until it is fully expended.

12 **SECTION 11. Continuation of the Colorado watershed**
13 **restoration program - appropriation.** (1) For the 2025-26 state fiscal
14 year, \$5,000,000 is appropriated to the department of natural resources
15 for use by the Colorado water conservation board. This appropriation is
16 from the Colorado water conservation board construction fund created in
17 section 37-60-121, C.R.S. To implement this section, the Colorado water
18 conservation board may use this appropriation to support planning,
19 engineering, and implementation measures to address technical needs for
20 watershed restoration and flood mitigation projects throughout the state
21 to provide aquatic habitat protection; quantification of environmental
22 flow needs; and monitoring of efforts to support healthy stream and
23 watershed goals outlined in the state water plan.

24 (2) The money appropriated in subsection (1) of this section
25 remains available for the designated purposes until it is fully expended.

26 **SECTION 12. Statewide turf analysis - appropriation.** (1) For
27 the 2025-26 state fiscal year, \$1,400,000 is appropriated to the department

1 of natural resources for use by the Colorado water conservation board.
2 This appropriation is from the Colorado water conservation board
3 construction fund created in section 37-60-121, C.R.S. To implement this
4 section, the Colorado water conservation board may use this
5 appropriation to conduct an analysis to answer key questions related to
6 understanding the total amount of irrigable turf, nonfunctional turf, tree
7 canopy, and other vegetation types in populated areas of the state to gain
8 a better understanding of outdoor and landscape water use and develop
9 possible water savings practices related to turf replacement.

10 (2) The money appropriated in subsection (1) of this section
11 remains available for the designated purposes until it is fully expended.

12 **SECTION 13. Colorado department of agriculture - scaling**
13 **Colorado soil health- transfer - appropriation.** (1) On July 1, 2025, the
14 state treasurer shall transfer \$500,000 from the Colorado water
15 conservation board construction fund created in section 37-60-121,
16 C.R.S., to the plant health, pest control, and environmental protection
17 cash fund created in section 35-1-106.3 (1), C.R.S., to assist in the
18 continuation of the soil health program.

19 (2) (a) For the 2025-26 state fiscal year, \$500,000 is appropriated
20 to the department of agriculture for use by the conservation services
21 division. This appropriation is from the plant health, pest control, and
22 environmental protection cash fund created in section 35-1-106.3 (1),
23 C.R.S. To implement this subsection (2)(a), the conservation services
24 division may use this appropriation to continue the Colorado soil health
25 program to improve soil health throughout the state.

26 (b) The money appropriated in subsection (2)(a) of this section
27 remains available for the designated purposes until it is fully expended.

1 **SECTION 14. Yampa river and Walton creek confluence**
2 **restoration - appropriation.** (1) For the 2025-26 state fiscal year,
3 \$2,000,000 is appropriated to the department of natural resources for use
4 by the Colorado water conservation board. This appropriation is from the
5 Colorado water conservation board construction fund created in section
6 37-60-121, C.R.S. To implement this section, the Colorado water
7 conservation board may use this appropriation to conduct a large-scale
8 ecological river and wetland restoration project encompassing one
9 hundred five acres of channel, floodplain, and riparian improvements at
10 the Yampa river and Walton creek confluence.

11 (2) The money appropriated in subsection (1) of this section
12 remains available for the designated purposes until it is fully expended.

13 **SECTION 15. South fork focus zone irrigated acreage**
14 **retirement - appropriation.** (1) For the 2025-26 state fiscal year,
15 \$6,000,000 is appropriated to the department of natural resources for use
16 by the Colorado water conservation board. This appropriation is from the
17 Colorado water conservation board construction fund created in section
18 37-60-121, C.R.S. To implement this section, the Colorado water
19 conservation board may use this appropriation to support efforts to
20 comply with the republican river compact administration resolution by
21 retiring irrigated acreage in the south fork focus zone by 2029.

22 (2) The money appropriated in subsection (1) of this section
23 remains available for the designated purposes until it is fully expended.

24 **SECTION 16. Water project loan authorization - park creek**
25 **reservoir expansion project.** (1) Pursuant to section 37-60-122 (1)(b),
26 C.R.S., the Colorado water conservation board is authorized to make a
27 loan in the amount of \$12,978,500 from the severance tax perpetual base

1 fund created in section 39-29-109 (2)(a), C.R.S., to the North Poudre
2 Irrigation Company for the completion of the park creek reservoir
3 expansion project.

4 (2) The money authorized in subsection (1) of this section remains
5 available for the designated purposes until it is fully expended.

6 (3) The Colorado water conservation board may make loans for
7 the project specified in subsection (1) of this section from money that is
8 or may become available to the severance tax perpetual base fund. The
9 total amount of the loans will be in the amount listed in subsection (1) of
10 this section plus or minus the amount, if any, as may be justified by
11 reason of fluctuations in construction costs or as may be justified by
12 reason of changes in the plans for the project due to differing or
13 unforeseen site conditions, errors or omissions in the plans and
14 specifications, changes instituted by regulatory agencies, or changes in
15 material quantities beyond contract limits.

16 **SECTION 17. Grant-making for projects that assist in**
17 **implementing the state water plan - appropriation.** (1) For the
18 2025-26 state fiscal year, \$29,200,000 is appropriated to the department
19 of natural resources for use by the Colorado water conservation board.
20 This appropriation is from the water plan implementation cash fund
21 created in section 37-60-123.3 (1)(a), C.R.S. To implement this
22 subsection (1), the Colorado water conservation board may use this
23 appropriation for grant-making for projects that assist in the
24 implementation of the state water plan pursuant to section 37-60-106.3
25 (6), C.R.S., through the Colorado water conservation board's application
26 and guidelines process.

27 (2) The money appropriated in subsection (1) of this section

1 remains available for the designated purposes until it is fully expended.

2 **SECTION 18.** In Colorado Revised Statutes, 37-60-124, **amend**
3 (2) introductory portion and (3); and **repeal** (1) as follows:

4 **37-60-124. Water conservation and drought mitigation**
5 **planning - powers and duties of board.** (1) ~~There is hereby created as~~
6 ~~an office under the Colorado water conservation board the office of water~~
7 ~~conservation and drought planning. The office shall have such staff as are~~
8 ~~necessary and appropriate to carry out the duties established for the~~
9 ~~office.~~

10 (2) ~~The office of water conservation and drought planning~~ BOARD
11 shall promote water conservation and drought mitigation planning by
12 ~~performing~~ AND SHALL MAINTAIN AS MUCH STAFF AS IS REQUIRED TO
13 PERFORM, to the degree feasible, duties including, but not limited to, the
14 following:

15 (3) The personal services, operating, travel and subsistence,
16 capital, and legal services expenses of administering the ~~office of water~~
17 ~~conservation and drought planning and the~~ programs and activities
18 authorized by subsection (2) of this section may be paid from such
19 ~~moneys as are~~ MONEY AS IS appropriated, allocated, or otherwise credited
20 to the Colorado water conservation board construction fund.

21 **SECTION 19.** In Colorado Revised Statutes, 37-60-126, **amend**
22 (2)(a), (2)(b), (3), (6), (7), (8), and (12)(c); **repeal** (1)(c) and (1)(d); and
23 **add** (12)(b.7) as follows:

24 **37-60-126. Water conservation and drought mitigation**
25 **planning - programs - relationship to state assistance for water**
26 **facilities - guidelines - grant program - definitions - repeal.** (1) As
27 used in this section and section 37-60-126.5, unless the context otherwise

1 requires:

2 (c) ~~"Grant program" means the water efficiency grant program~~
3 ~~established pursuant to subsection (12) of this section.~~

4 (d) ~~"Office" means the office of water conservation and drought~~
5 ~~planning created in section 37-60-124.~~

6 (2) (a) ~~Each~~ A covered entity shall, subject to section 37-60-127,
7 develop, adopt, make publicly available, and implement a plan pursuant
8 to which ~~such~~ THE covered entity shall encourage its domestic,
9 commercial, industrial, and public facility customers to use water more
10 efficiently. ~~Any~~ A state or local governmental entity that is not a covered
11 entity may develop, adopt, make publicly available, and implement such
12 a plan.

13 (b) The ~~office~~ BOARD shall review previously submitted
14 conservation plans to evaluate their consistency with the provisions of
15 this section and the guidelines established pursuant to ~~paragraph (a) of~~
16 ~~subsection (7)~~ SUBSECTION (7)(a) of this section.

17 (3) The manner in which the covered entity develops, adopts,
18 makes publicly available, and implements a plan established pursuant to
19 subsection (2) of this section shall be determined by the covered entity in
20 accordance with this section. The plan ~~shall~~ MUST be accompanied by a
21 schedule for its implementation. The plans and schedules shall be
22 provided to the ~~office~~ BOARD within ninety days after their adoption. For
23 those entities seeking financial assistance, the ~~office~~ BOARD shall then
24 notify the covered entity and the appropriate financing authority that the
25 plan has been reviewed and whether the plan has been approved in
26 accordance with this section.

27 (6) The board is ~~hereby~~ authorized to recommend the

1 appropriation and expenditure of revenues as are necessary from the
2 unobligated balance of the five percent share of the severance tax
3 operational fund designated for use by the board for the purpose of the
4 office providing assistance to covered entities to develop water
5 conservation plans that meet the provisions of this section.

6 (7) (a) The board shall adopt guidelines ~~for the office~~ to review
7 water conservation plans submitted by covered entities and other state or
8 local governmental entities. The guidelines ~~shall~~ MUST define the method
9 for submitting plans to the ~~office~~ BOARD, the methods for ~~office~~ review
10 and approval of the plans, and the interest rate surcharge provided for in
11 ~~paragraph (a) of subsection (9)~~ SUBSECTION (9)(a) of this section.

12 (b) ~~If no other applicable guidelines exist as of June 1, 2007, The~~
13 ~~board shall adopt guidelines by July 31, 2007, for the office to use in~~
14 ~~reviewing~~ MAY REVIEW AND AWARD GRANTS PURSUANT TO applications
15 submitted by covered entities, other state or local governmental entities,
16 and agencies for grants from ~~the grant program and from the grant~~
17 ~~program established in section 37-60-126.5 (3). The guidelines shall~~
18 ~~establish deadlines and procedures for covered entities, other state or~~
19 ~~local governmental entities, and agencies to follow in applying for grants~~
20 ~~and the criteria to be used by the office and the board in prioritizing and~~
21 ~~awarding grants~~ 37-60-106.3 (6).

22 (8) A covered entity may at any time adopt changes to an
23 approved plan in accordance with this section after notifying and
24 receiving concurrence from the ~~office~~ BOARD. If the proposed changes are
25 major, the covered entity shall give public notice of the changes, make the
26 changes available in draft form, and provide the public an opportunity to
27 comment on such changes before adopting them in accordance with

1 subsection (5) of this section.

2 (12) (b.7) ON JUNE 30, 2026, THE STATE TREASURER SHALL
3 TRANSFER ANY MONEY REMAINING IN THE WATER EFFICIENCY GRANT
4 PROGRAM CASH FUND TO THE SEVERANCE TAX PERPETUAL BASE FUND
5 CREATED IN SECTION 39-29-109 (2)(a).

6 (c) This subsection (12) is repealed, effective July 1, 2030 2026.

7 **SECTION 20.** In Colorado Revised Statutes, 37-60-126.5,
8 **amend** (2), (3), and (4) as follows:

9 **37-60-126.5. Drought mitigation planning - programs -**
10 **relationship to state assistance.** (2) The ~~office~~ BOARD shall develop
11 programs to provide technical assistance to covered entities and other
12 state or local governmental entities in the development of drought
13 mitigation plans.

14 (3) The board is ~~hereby~~ authorized to ~~expend revenues from the~~
15 ~~water efficiency grant program cash fund and to~~ recommend the
16 appropriation and expenditure of the revenues as is necessary from the
17 unobligated balance of the five-percent share of the severance tax
18 operational fund designated for use by the board for the purpose of
19 assisting covered entities and other state or local governmental entities to
20 develop drought mitigation plans that the ~~office~~ BOARD identifies as
21 sufficient.

22 (4) The board shall adopt guidelines ~~for the office~~ to use in
23 reviewing, evaluating, and approving drought mitigation plans submitted
24 by covered entities or other state or local governmental entities in
25 accordance with this section.

26 **SECTION 21.** In Colorado Revised Statutes, 39-29-109, **amend**
27 (2)(a)(II.5)(B), (2)(a)(II.5)(C), and (2)(b)(III); and **repeal** (2)(a)(II.5)(D)

1 as follows:

2 **39-29-109. Severance tax trust fund - created - administration**

3 **- distribution of money - legislative declaration - repeal.** (2) State

4 severance tax receipts must be credited to the severance tax trust fund as

5 provided in section 39-29-108. All income derived from the deposit and

6 investment of the money in the fund must be credited to the fund. At the

7 end of any fiscal year, all unexpended and unencumbered money in the

8 fund remains in the fund and must not be credited or transferred to the

9 general fund or any other fund. All money in the fund is subject to

10 appropriation by the general assembly for the following purposes:

11 (a) **The severance tax perpetual base fund.** (II.5) The board

12 shall use the money in the fund:

13 (B) To direct the state treasurer to transfer amounts to the water

14 supply reserve fund created in subsection (2)(c) of this section; AND

15 (C) To direct the state treasurer to transfer amounts to the

16 interbasin compact committee operation fund created in section

17 37-75-107. and

18 ~~(D) To direct the state treasurer to transfer amounts to the water~~

19 ~~efficiency grant program cash fund created in section 37-60-126 (12).~~

20 (b) **The severance tax operational fund.** (III) The fund also

21 includes amounts that were transferred to natural resources and energy

22 grant programs under section 39-29-109.3 and that were transferred back

23 to the fund in accordance with subsection (2)(c)(V) of this section and

24 sections 24-33-111 (2)(a)(I)(C) ~~37-60-126 (12)(a)(V)~~, and 37-75-107 (3).

25 **SECTION 22.** In Colorado Revised Statutes, 37-75-103, **amend**

26 (1) and (2)(b) as follows:

27 **37-75-103. Director of compact negotiations.** (1) Within thirty

1 days after ~~June 7, 2005~~ A VACANCY, the governor OR THE EXECUTIVE
2 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES shall appoint a
3 director of compact negotiations. ~~which office is hereby created in the~~
4 ~~office of the governor.~~ The director of compact negotiations shall act as
5 the overseer and caretaker of the compact negotiations process
6 established in this ~~article~~ ARTICLE 75.

7 (2) The director of compact negotiations shall have the following
8 responsibilities:

9 (b) ~~Oversee and~~ Direct the expenditure of ~~moneys~~ MONEY
10 appropriated pursuant to this ~~article~~ ARTICLE 75; and

11 **SECTION 23. Safety clause.** The general assembly finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety or for appropriations for
14 the support and maintenance of the departments of the state and state
15 institutions.