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Water Quality

Colorado River Water Conservation District Policy Statement:

The Colorado River District's primary objective with respect to water quality is to protect the ability of its constituents to use water beneficially now and in the future. To this end, the River District supports the following:

- 1. The River District will advocate for and may participate in the prevention or mitigation of those activities that adversely impact water quality whenever existing or future beneficial water uses, the ecological health of rivers and streams, public health or local economies dependent on certain water quality may be threatened.**
- 2. Water quality negotiations, classifications and enforcement decisions should be based on sound scientific data and methodologies and should not impose unreasonable financial burdens or operational constraints of historical water users.**
- 3. The River District will participate in administrative and legislative efforts to clarify the scope of the Clean Water Act (CWA) through rulemaking and legislation defining Waters of the U.S. (WOTUS) and its implementation.**
- 4. The River District will generally support legislative and regulatory measures that provide and protect water quality it deems reasonable and necessary to support and protect the present and future economy and quality of life in the region.**
- 5. The River District will oppose any mandatory, nonpoint source regulation for farming and ranching activities but will encourage the voluntary implementation of reasonable best management practices and programs. The River District will advocate for incentives for non-point pollution prevention and clean-up efforts and funding for those efforts.**
- 6. Any new or substantially amended regulations should be implemented with sufficient resources allocated to the affected enforcement authorities, water users and land owners.**

Background & Discussion:

The Colorado River District is committed to meeting the present and future water needs of its residents. The River District recognizes that water quality and water quantity are often inseparable. Water quality can be an important factor in the ability of the Colorado River District's residents to beneficially use water.

The tension between water quality and water quantity is long and varied. The inter-relationship between the two is better recognized and accepted today. There is a causative link between the

amount of stream flow present and the water quality of the stream. Water diversions inevitably have some impact on water quality. This impact may not be measurable or significant to either water users or to the environment. However, in the case of transmountain diversions, they can have major, adverse consequences.

Water quality regulation is largely driven by federal statutes and regulations, principally the Clean Water Act and regulations promulgated under this Act. The scope of the Act is largely determined by interpretation of the term “Waters of the United States.” Recent and current efforts to administratively define and re-define WOTUS and guide its implementation have resulted in increased uncertainty. The River District believes Congress has the ultimate responsibility for clarifying WOTUS and other key terms of the CWA. Additionally, new programs, regulatory requirements and judicial interpretations must be adopted with appropriations sufficient for implementation.

In Colorado, responsibility for water quality protection is almost exclusively vested in the Colorado Water Quality Control Commission and Division within the Colorado Department of Public Health and the Environment. In contrast, responsibility for water quantity allocation and administration is generally vested with the Water Courts and the Colorado Department of Natural Resources. As integration between water quantity and water quality evolves, local governments should have a role in the monitoring, management and enforcement of water quality programs. Local governments’ role, however, should be voluntary, based on the needs and resources of the community and not mandated.

As growth in Colorado continues, as consumptive water uses continue to be developed, and as drought cycles continue to occur, water quality will be an ever-growing issue for Colorado water managers.