



[HB25-1099](#)

SHORT TITLE: Water Quality Data Standards

LONG TITLE: Concerning standards for the determination of a total maximum daily load for state waters.

SPONSORS: Representatives Mauro and Taggart/Sen. Hinrichsen

COMMITTEES: House Energy and Environment

PURPOSE OF THE BILL: To require CDPHE to issue guidance on data collection in setting standards for maximum daily loads of pollutants in streams

PROPOSERS OF THE BILL: Mesa County

POTENTIAL STAKEHOLDERS: Agriculture, industrial dischargers, Water rights owners, public and private water suppliers, CDPHE, county boards of health, Conservation groups, environmental advocates

BACKGROUND: For a Water Quality Limited (impaired) stream segment that requires a Total Maximum Daily Load (TMDL), the pollutant sources and allocate allowable loads to the contributing sources, both point and nonpoint, must be qualified so water quality standards can be attained for that segment. CDPHE through the Water Quality Control Division develops those limits specific to each stream. Concerns have been raised about the quality and quantity of data used to set the standards. The waste load allocation portion of the TMDL can be implemented through effluent limits in discharge permits. In the case of non-point sources, voluntary controls or locally enacted controls are necessary to implement the load allocations. This bill requires the division to issue written guidance on total maximum daily load development, including recommendations on data collection, analytic methods, data quality assurance, and accuracy.

Is this bill necessary this year (is there a deadline for action)? No

How does the bill change current law? Currently TMDLs are developed by the Division absent written Guidance or processes to assure quality control for the data used.

Does the bill affect the prior appropriations system? Limitations on both point source and non-point discharges to streams could restrict use of water rights (e.g., certain agricultural practices) depending on standards for certain pollutants attributable to the particular water use.

How is the bill implemented? The bill directs CDPHE to issue written guidance which would require public processes and input through meetings with stakeholders, followed by a written guidance document. Following the guidance additional sampling pursuant to the new guidance would occur.

Practical considerations: Is there a way to ensure accuracy of data while avoiding the large fiscal impact which may jeopardize the bill.

Fiscal Impact: The fiscal note for the introduced bill estimates cost the state by about \$280,000 in FY 2025-26 and by about \$290,000 in FY 2026-27 only.