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For Immediate Release

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**Common Sense Becomes Law: New Developments Required to
Demonstrate Adequate Water Supply**

Ft. Collins, CO – Today Governor Bill Ritter signed into law House Bill 1141, requiring that developers of projects of more than 50 units prove the development will have an adequate supply of water. Senator Bob Bacon, who co-sponsored the bill with Rep. Kathleen Curry, pushed for the bill's passage to "give local governments a necessary tool for approving sustainable development and protecting homebuyers from purchasing homes that have an uncertain water future."

The new law aims to prevent future water crises caused when developments are built first and questions about water supply are addressed later. Developers will now have to provide thorough documentation of an adequate water supply. If the local government wishes, it may request that the State Engineer review the information submitted by the applicant.

"The concept is so simple; it's embarrassing to explain that until 1141 we didn't have a statewide requirement to show an adequate water supply before issuing a building permit," commented Chris Treese of the Colorado River District.

This state law will benefit local governments, who retain the ultimate authority to approve or deny development. In addition, the bill addresses a desire by local governments to have an express statement in law that they can deny a development application solely based upon water availability concerns.

"We hear arguments all the time that we cannot link land use decisions to water availability," said James Newberry, Chairman of Northwest Colorado Council of Governments Water Quality and Quantity Committee. "This bill puts that argument to rest."

Rep. Curry notes that the law has broad support. "The Colorado River Water Conservation District, the environmental community, and the water community worked

hard to bring this long-overdue legislation to fruition. Because of their efforts, local governments will now have the information they need to make knowledgeable decisions regarding the adequacy of water supply - before they approve new developments.”

For homebuyers, the new law will provide an extra measure of protection when considering the purchase of a new home. Bart Miller, Water Program Director at Western Resource Advocates, points out, “We already have building codes to make sure houses won’t fall down and zoning codes to create good neighborhoods and now we have this law to prevent consumers from living in a developer-imposed drought.”

This law accepts the reality that Colorado is a semi-arid state and requires development decisions to reflect that. Colorado’s relative lack of water resources is compounded by the fact that most of the major river basins in the state are already over-appropriated, further inhibiting the ability of communities to find new supplies of water.

“When the West was first being settled, farmers were told that ‘rain would follow the plow’ onto their arid homesteads. That wasn’t true. Today when homebuyers want to know their new home has a solid foundation and safe wiring, they also deserve to know that when they turn on the tap water will come out,” said Stephanie Thomas, from Colorado Environmental Coalition.

When housing developments are built without adequately addressing water supply, the costs to homeowners, communities, homeowner associations and local governments can be enormous. “It is much more difficult to make smart water development choices under emergency circumstances, after the growth that needs the water has already occurred,” said Drew Peternell, Director of Trout Unlimited’s Colorado Water Project. “Having a law that factors water supply into the development process should help us to avoid the necessity of making hasty or reckless decisions during an emergency.”

Western Resource Advocates is a non-profit conservation organization dedicated to protecting the West’s land, air and water. Our water program works to help communities meet human needs while protecting rivers, lakes and aquifers. Visit us online at www.westernresourceadvocates.org.