

# Stream Restoration & Water Administration

## Presentation to the Water Resources and Agriculture Review Committee

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Colorado Department of Natural Resources  
March 8th, 2023

# The Value of Healthy Natural Stream Systems



- ❖ **Wildfire Resilience & Recovery**
- ❖ **Flood Resilience & Recovery**
- ❖ **Drought & Climate Mitigation**
- ❖ **Water Quality Protection & Improvement**
- ❖ **Riparian and Aquatic Habitat**
- ❖ **Recreation, Tourism, and Local Economies**

# Impacts to Natural Stream Systems - Fire



Photo Credit: NPS, 2020



Photo Credit: Macdonald, 2021

# Impacts to Natural Stream Systems - Flood



# Impacts to Natural Stream Systems - Mine Disasters



# Impacts to Natural Stream Systems - Water Quality



# Impacts to Natural Stream Systems - Loss of Vegetation



# What is Stream Restoration?





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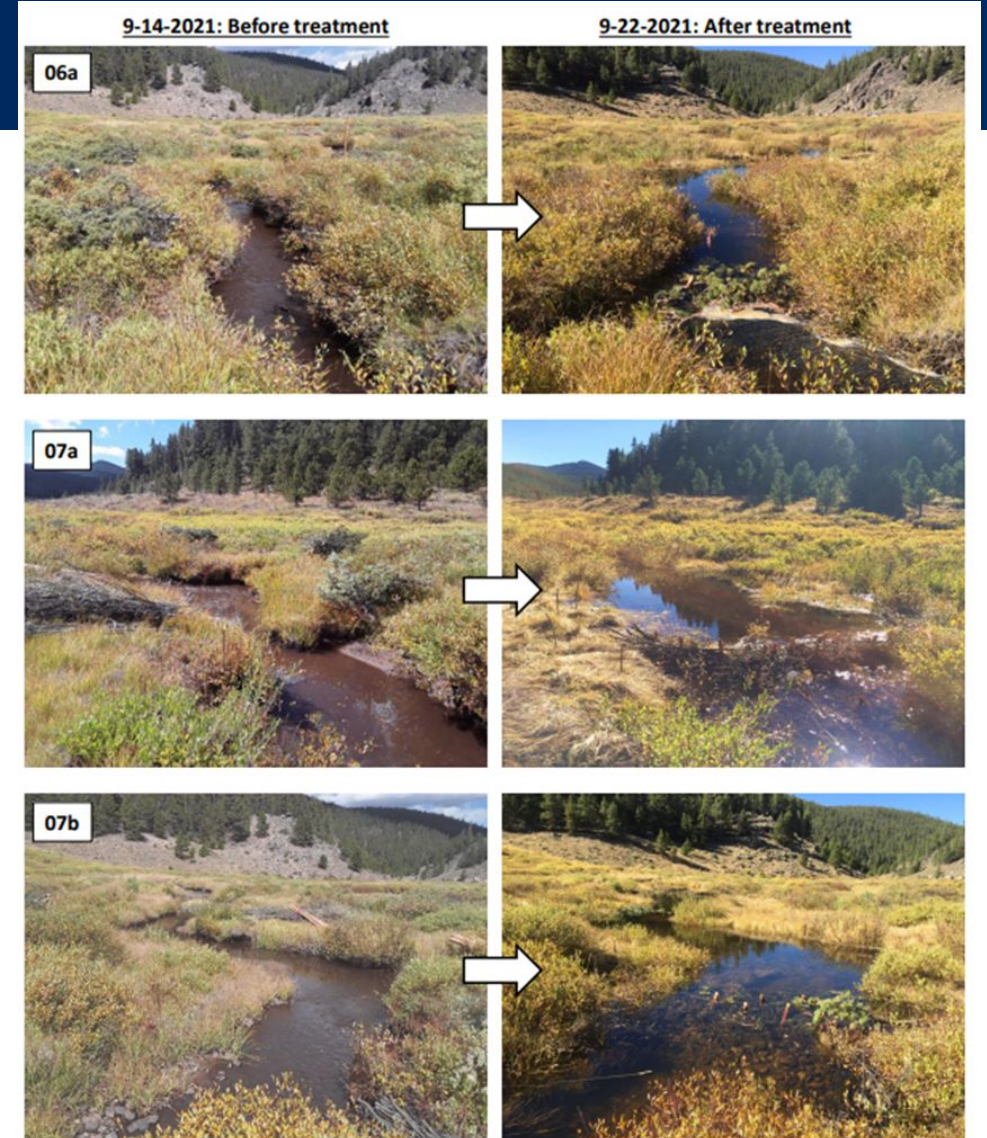
Swan River Restoration Site



Swan River Restoration Site



# What is Stream Restoration?



# Water Rights & Stream Restoration

## C.R.S. 37-92-501 and 502

- **“Diversion”**
- **“Storage”**
- **“Unnecessary Obstruction”**



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# Stream Restoration Legislation Concept

*Add new subsection (9) in section 37-92-602, C.R.S. will describe the benefits of and requirements for Registered Stream Restoration Projects. There are a number of requirements to meet the definition of a Registered Stream Restoration Project including that the project:*

- *has an environmental purpose or has a multiple benefit purpose that includes an environmental purpose,*
- *does not reduce the hydrograph that was in place before the stream was degraded,*
- *exists within the historical or existing extent of the stream system,*
- *is registered with the State Engineer and notice was provided to the SWSP notification list prior to construction.*

*A Registered Stream Restoration Project has a rebuttable presumption of no material injury, which may be rebutted by the holder of a vested water right in the water court with a showing that the project modifies the amount or timing of water that would have been available for diversion absent the degraded conditions of the stream system that necessitated the project.*

*There are also restoration project types with minimal impacts to water rights, such as planting vegetation, fencing and stabilizing or armoring banks, and stream restoration projects already constructed as of the effective date of the bill, which do not cause material injury and do not need to register or provide notice to the SWSP notification list. Projects intended for the sole purpose of recovering from wildland fire or an emergency flood also do not need to register or provide notice to the SWSP notification list.*



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# Thank You

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