

RESOLUTION NO. 07-14

A RESOLUTION IN SUPPORT OF THE COLORADO WATER STEWARDSHIP PROJECT AND IN OPPOSITION TO PUBLIC TRUST DOCTRINE INITIATIVES

RECITALS:

The Colorado Water Congress has implemented its *Colorado Water Stewardship Project* as the means to educate the Colorado citizenry about the serious ramifications to the beneficial use, management, and administration of Colorado's water resources that could result from the adoption of a public trust doctrine. With this resolution the City Council of the City of Grand Junction expresses its support of and for the *Colorado Water Stewardship Project* ("*Project*" or "*the Project* .")

In addition to its support of *the Project*, the City Council expresses its opposition to Initiative 83 and the other several initiatives which have been proposed in recent years that would amend the Colorado Constitution to impose a public trust doctrine on Colorado water and water resources.

In Grand Junction and the Grand Valley agriculture is the primary user of water; our orchards, farms and ranches and the people that own and operate them are integral to our economy and heritage. The public trust doctrine initiatives could take away those users' rights to their water and in turn damage agriculture and the agricultural industry of the community and in turn the State. Secure and reliable water rights are essential to business, jobs and the economy. These initiatives will create uncertainty and hurt the economy.

As well as being concerned about the agricultural interests the City Council is concerned about water that is being used in communities. Many Colorado cities including Grand Junction have acquired, through the long standing legal process known as prior appropriation, water supplies that are critical for their residents. The public trust initiatives will put cities' use of water in jeopardy.

The initiatives attack private property rights in both the water and land; the historical, legal use of land and water would be rendered uncertain and in the hands of courts, lawyers and lawsuits. The initiatives will be costly in many new and unnecessary ways.

The initiatives may undermine Colorado's existing environmental protections, which require an amount of water flow in streams and rivers and maintaining certain lake levels and may allow more of Colorado's water to go to downstream states than interstate compact requires.

Coloradans have built water projects and managed our water for more than 150 years, which has grown and sustained our economy and improved our quality of life. These

initiatives will jeopardize the historical operation of those projects and make improvements impossible.

Colorado Supreme Court Justice Hobbs in his dissenting opinion in *In re Title, Ballot Title and Submission Clause for 2011-12 #3*, wrote that such an initiative "would drop what amounts to a nuclear bomb on Colorado water rights and land rights" and "would strip members of the public, cities, farms and families throughout this state of their most valuable economic interests."

NOW THEREFORE BE IT RESOLVED, that the City Council supports the Colorado Water Stewardship Project and its efforts to educate the public of the adverse effects of the adoption of a public trust doctrine would have on the beneficial use, management, and administration of Colorado's' water resources; and

BE IT FURTHER RESOLVED that the City Council opposes adoption of a public trust doctrine as unwise and unnecessary and finds that it would be disruptive to the fair and responsible allocation and stewardship of Colorado's scarce water resources and would result in an unwarranted taking of vested property interests.

ADOPTED THIS 19th day of March, 2014.

GRAND JUNCTION CITY COUNCIL



Sam Susuras

Mayor and President of the City Council

ATTEST



Stephanie Tuin

City Clerk

