NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 03-1100

BY REPRESENTATIVE(S) Smith, Brophy, Butcher, Cloer, Coleman, Fairbank, Fritz, Harvey, Hoppe, Johnson R., Lee, Lundberg, Marshall, May M., McCluskey, McFadyen, Merrifield, Miller, Paccione, Rose, Salazar, Schultheis, Spradley, Weddig, White, Wiens, Williams S., and Young; also SENATOR(S) Taylor, Isgar, Kester, and Teck.

CONCERNING THE MANAGEMENT OF NATURAL RESOURCES ON FEDERAL LAND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. The general assembly hereby finds that federal lands constitute a significant portion of the total land area within Colorado, and therefore federal lands are a significant factor affecting the management of public and private lands within this state. For example, fires on federal lands may spread to state lands. Land management affects the health, safety, and welfare of Colorado's citizens and impacts the state's economy and tourism. 43 U.S.C. sec. 1712 and 40 U.S.C. sec. 619 authorize coordination of land management between Colorado and the United States. Therefore, the general assembly hereby declares its intention to encourage coordination with the United States

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Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

secretary of the interior and the United States secretary of agriculture concerning the management of federal lands as an important component of state and local land management. Areas appropriate for such coordination include hazardous fuel removal, wild fire prevention, water conservation, watershed protection, wildlife management, air quality, and public utilities protection.

SECTION 2. 23-30-301, Colorado Revised Statutes, is amended to read:

23-30-301. Legislative declaration. It is the public policy of this state to encourage the health of forest ecosystems through responsible management of the forest land of the state AND THROUGH COORDINATION WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP MANAGEMENT PLANS FOR FEDERAL LANDS WITHIN THE STATE OF COLORADO PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712, including the use of prescribed and natural ignition fires and other pre-suppression activities, such as the harvest of materials, in order to preserve forest and other natural resources, enhance the growth and maintenance of forests, conserve forest cover on watersheds, protect recreational, wildlife, and other values, promote stability of forest-using industries, and prevent loss of life and damage to property from wildfires and other conflagrations.

SECTION 3. 23-30-203, Colorado Revised Statutes, is amended to read:

23-30-203. Cooperation with governmental units. In connection with its powers and duties concerning the protection of the forest lands of the state from fire, the board may cooperate AND COORDINATE with the United States forest service, THE UNITED STATES SECRETARY OF THE INTERIOR, THE UNITED STATES SECRETARY OF AGRICULTURE, the state board of land commissioners, and the counties for such protection and may advise and aid in preventing forest fires on state and private lands in the national forests in the state, INCLUDING COORDINATING WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP MANAGEMENT PLANS FOR FEDERAL LANDS WITHIN THE STATE OF COLORADO PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712; but nothing contained in this section shall be construed as transferring to the board the duties or

responsibilities of the sheriffs of the various counties with respect to forest fire control laws.

SECTION 4. 33-1-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

33-1-104. General duties of commission. (5) THE COMMISSION MAY COORDINATE WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP WILDLIFE CONSERVATION AND MANAGEMENT PLANS CONSISTENT WITH THIS TITLE FOR FEDERAL LANDS PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712.

SECTION 5. 37-60-106, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

37-60-106. Duties of the board. (2) THE BOARD MAY COORDINATE WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP PLANS THAT CONSERVE AND DEVELOP WATER RESOURCES CONSISTENT WITH THIS ARTICLE FOR FEDERAL LANDS PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712.

SECTION 6. 25-7-105, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25-7-105. Duties of commission. (19) THE COMMISSION MAY COORDINATE WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP AIR QUALITY MANAGEMENT PLANS CONSISTENT WITH THIS ARTICLE FOR FEDERAL LANDS PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712.

SECTION 7. 25-1-107 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25-1-107. Powers and duties of the department - repeal. (1) The department has, in addition to all other powers and duties imposed upon it by law, the following powers and duties:

(ll) TO COORDINATE WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP RESOURCE MANAGEMENT PLANS CONSISTENT WITH THIS ARTICLE FOR FEDERAL LANDS PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712.

SECTION 8. 25-8-202 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25-8-202. Duties of the commission. (1) The commission shall develop and maintain a comprehensive and effective program for prevention, control, and abatement of water pollution and for water quality protection throughout the entire state and, in connection therewith, shall:

(l) COORDINATE WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP WATER QUALITY MANAGEMENT PLANS FOR FEDERAL LANDS PURSUANT TO 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 43 U.S.C. SEC. 1712.

SECTION 9. 23-30-305, Colorado Revised Statutes, is amended to read:

23-30-305. Cooperation by counties. The boards of county commissioners may, in their discretion, cooperate AND COORDINATE with the governing bodies of organized fire districts, fire departments, and municipal corporations; with private parties; with other counties; ~~and~~ with the state forester; WITH THE UNITED STATES SECRETARY OF THE INTERIOR; WITH THE UNITED STATES SECRETARY OF AGRICULTURE; AND WITH AN AGENCY OF THE UNITED STATES GOVERNMENT in the management AND PREVENTION of forest fires. Such boards of county commissioners are authorized to participate in the organization and training of rural fire-fighting groups, in the payment for the operation and maintenance of fire-fighting equipment, and in sharing the cost of managing fires.

SECTION 10. 30-11-101 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

30-11-101. Powers of counties. (1) Each organized county within the state shall be a body corporate and politic, and as such shall be

empowered for the following purposes:

(k) TO COORDINATE, PURSUANT TO 43 U.S.C. SEC. 1712, THE "NATIONAL ENVIRONMENTAL POLICY ACT OF 1969", 42 U.S.C. SEC. 4321 ET SEQ., 40 U.S.C. SEC. 3312, 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 40 CFR PARTS 1500 TO 1508, WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP LAND MANAGEMENT PLANS THAT ADDRESS HAZARDOUS FUEL REMOVAL AND OTHER FOREST MANAGEMENT PRACTICES, WATER DEVELOPMENT AND CONSERVATION MEASURES, WATERSHED PROTECTION, THE PROTECTION OF AIR QUALITY, PUBLIC UTILITIES PROTECTION, AND PRIVATE PROPERTY PROTECTION ON FEDERAL LANDS WITHIN SUCH COUNTY'S JURISDICTION.

SECTION 11. 31-15-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

31-15-101. Municipalities bodies politic - powers. (3) EACH MUNICIPALITY MAY COORDINATE, PURSUANT TO 43 U.S.C. SEC. 1712, THE "NATIONAL ENVIRONMENTAL POLICY ACT OF 1969", 42 U.S.C. SEC. 4321 ET SEQ., 40 U.S.C. SEC. 3312, 16 U.S.C. SEC. 530, 16 U.S.C. SEC. 1604, AND 40 CFR PARTS 1500 TO 1508, WITH THE UNITED STATES SECRETARY OF THE INTERIOR AND THE UNITED STATES SECRETARY OF AGRICULTURE TO DEVELOP MANAGEMENT PLANS THAT ADDRESS HAZARDOUS FUEL REMOVAL AND OTHER FOREST MANAGEMENT PRACTICES, WATER DEVELOPMENT AND CONSERVATION MEASURES, WATERSHED PROTECTION, PUBLIC UTILITIES PROTECTION, PRIVATE PROPERTY PROTECTION, AND THE PROTECTION OF AIR QUALITY ON FEDERAL LANDS WITHIN SUCH MUNICIPALITY'S JURISDICTION.

SECTION 12. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Lola Spradley SPEAKER OF THE HOUSE OF REPRESENTATIVES	John Andrews PRESIDENT OF THE SENATE
Judith Rodrigue CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Mona Heustis SECRETARY OF THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO