

**WAIVER REQUEST -- October 22, 2012**

*FY 2012-13 Request to Waive the Six-Month Encumbrance Deadline Pursuant to Section 24-30-1404 (7), C.R.S.*

**Public Health and Environment**  
***Water Quality Improvement Projects***

**MOTION** Approve the waiver request for the 2012-13 appropriation to the Water Quality Improvement Projects project (\$600,000 CF).

**SUMMARY**

2013-011

The Department of Public Health and Environment (DPHE) is requesting a waiver of the six-month encumbrance deadline in order to encumber the total amount of the FY 2012-13 appropriation for its Water Quality Improvement Projects line item. The department explains that, in accordance with state law and an agreement between the Office of the State Controller and the committee, the total project amount for projects without significant professional services contracts related to project design, such as this project, must be encumbered within the six-month deadline. DPHE is currently in the process of reviewing scopes of work, approving contracts, and finalizing encumbrances for the water quality improvement projects funded under this project, but may not have the entire appropriation encumbered by the November 7th deadline. The department says it expects to have all contracts in place and the project fully encumbered by January 30, 2013.

The project funds water quality projects from fines collected for water quality violations that accrue to the Water Quality Improvement Fund. State law requires the department to use moneys in the fund to improve statewide water quality. To meet this charge, DPHE provides grant funding to local entities for water projects in a manner similar to the department's grant funding for hazardous contaminant remediation under the Brownfields Cleanup Program.

**FY 2012-13 APPROPRIATION AMOUNT**

<b>Fund Source</b>	<b>Appropriation</b>
CF	\$600,000
<b>Total</b>	<b>\$600,000</b>

**STAFF QUESTIONS**

None.