


Colorado Legislative Council Staff Fiscal Note
LOCAL
REVISED FISCAL IMPACT
(replaces fiscal note dated February 4, 2008)

Drafting Number: LLS 08-0572
Prime Sponsor(s): Rep. Curry
 Sen. Bacon

Date: March 17, 2008
Bill Status: House Appropriations
Fiscal Analyst: David Porter (303-866-4375)

TITLE: CONCERNING SUFFICIENT WATER SUPPLIES FOR LAND USE APPROVAL.

Fiscal Impact Summary	FY 2008-2009	FY 2009-2010
State Revenue		
State Expenditures		
FTE Position Change	0.0 FTE	0.0 FTE
Effective Date: The bill becomes effective upon signature of the Governor or upon becoming law without his signature.		
Appropriation Summary for FY 2008-2009: None required.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

HB08-1141, as amended by the House Local Government Committee, requires that building permit applications for developments of greater than 50 single-family equivalents must include specific evidence of an adequate water supply. An adequate water supply is defined as one that is sufficient for the development, through build-out, in terms of quality, quantity, and dependability.

The bill requires the developer to submit the following information to the local government as part of the permit application:

- ▶ a report prepared by a professional engineer or water supply expert estimating the proposed development's water supply requirements and identifying the proposed physical source;
- ▶ if the development is served by a water supply entity, a letter estimating the proposed development's water supply requirements, information about the water source and how it is managed, and a statement of commitment and ability to provide an adequate water supply to the development; and
- ▶ any other information or analyses requested by the local government.

Alternatively, if the water supplier has a water supply plan that meets specified criteria, the authorizing local government can forgo the report or letter. The local government is required to determine if an applicant has an adequate water supply based on a review of application documents. It may also request that the State Engineer comment on the documents.

State Expenditures

Department of Natural Resources, Division of Water Resources. This bill allows local governments to seek State Engineer comment on water supply documents for new developments. Relatively few requests are estimated, 3 to 4 per year, and can be handled within existing appropriations.

Local Government Impact

Local governments will need to incorporate the bill's water supply review requirements into the application process for real estate developments. The impact of this change depends on how similar current water supply review requirements are to the bill's specifications. Local government costs, if any, will be determined by factors such as: the number of applications processed, the complexity of the development's water sourcing, and the types of changes the bill makes to the application process.

The cost of these changes is not quantified for this fiscal note. However, costs may be absorbed within the local government's existing resources. This, in turn, may extend the time taken to review applications. Or, costs may be defrayed by raising development review fees and hiring additional personnel to process applications.

Departments Contacted

Natural Resources

Local Affairs

Public Health and Environment