

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 11-0849.01 Thomas Morris

HOUSE BILL 11-1274

HOUSE SPONSORSHIP

Sonnenberg,

SENATE SPONSORSHIP

Schwartz,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

Agriculture, Natural Resources, and Energy
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION**
102 **BOARD PROJECTS, AND MAKING APPROPRIATIONS IN**
103 **CONNECTION THEREWITH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill appropriates the following amounts from the Colorado water conservation board construction fund for the following projects:

! \$300,000 for continuation of the satellite monitoring system maintenance;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unam ended
April 26, 2011

HOUSE
3rd Reading Unam ended
April 6, 2011

HOUSE
2nd Reading Unam ended
April 5, 2011

- ! \$175,000 for continuation of the weather modification program;
- ! \$500,000 for continuation of the Colorado flood plain map modernization program;
- ! \$250,000 for continuation of the watershed restoration program;
- ! \$300,000 to restore the flood response fund balance;
- ! \$200,000 for a water conservation data tracking project;
- ! \$500,000 to begin implementation of the Arkansas river decision support system;
- ! \$700,000 to restore the litigation fund cash balance; and
- ! \$12 million for the second installment of the purchase of Colorado's allotment of Animas-La Plata project water.

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

2 **SECTION 1. Continuation of the satellite monitoring system**
3 **maintenance - appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 Colorado water conservation board construction fund not otherwise
6 appropriated, to the department of natural resources, for allocation to the
7 division of water resources, for the fiscal year beginning July 1, 2011, the
8 sum of three hundred thousand dollars (\$300,000), or so much thereof as
9 may be necessary, for renovation of existing gauging stations,
10 replacement of outdated collection platforms and upgrading of
11 transmission components of the satellite monitoring system established
12 and operated pursuant to section 37-80-102 (10), Colorado Revised
13 Statutes, stream gauge flood hardening projects, and data collection
14 efforts related to flood forecasting and warning.

15 (2) The moneys appropriated in subsection (1) of this section
16 remain available for the designated purposes until they are fully
17 expended.

18 **SECTION 2. Continuation of the weather modification**

1 **program - appropriation.** (1) In addition to any other appropriation,
2 there is hereby appropriated, out of any moneys in the Colorado water
3 conservation board construction fund not otherwise appropriated, to the
4 department of natural resources, for allocation to the Colorado water
5 conservation board, for the fiscal year beginning July 1, 2011, the sum of
6 one hundred seventy-five thousand dollars (\$175,000), or so much thereof
7 as may be necessary, for the board to continue to assist water
8 conservation districts, water conservancy districts, and other water
9 providers with the development of cloud seeding programs that provide
10 benefits to recreation, streams, and reservoirs through snow pack
11 enhancement.

12 (2) The moneys appropriated in subsection (1) of this section
13 remain available for the designated purposes until they are fully
14 expended.

15 **SECTION 3. Continuation of the Colorado flood plain map**
16 **modernization program - appropriation.** (1) In addition to any other
17 appropriation, there is hereby appropriated, out of any moneys in the
18 Colorado water conservation board construction fund not otherwise
19 appropriated, to the department of natural resources, for allocation to the
20 Colorado water conservation board, for the fiscal year beginning July 1,
21 2011, the sum of five hundred thousand dollars (\$500,000), or so much
22 thereof as may be necessary in order to restore the unencumbered balance
23 in the fund to five hundred thousand dollars (\$500,000), for the board to
24 continue to assist with the preparation of revised and improved flood
25 plain studies and maps for communities throughout Colorado and to
26 participate in federally sponsored flood plain map modernization
27 activities.

1 (2) The moneys appropriated in subsection (1) of this section
2 remain available for the designated purposes until the project is
3 completed.

4 **SECTION 4. Continuation of the watershed restoration**
5 **program - appropriation.** (1) In addition to any other appropriation,
6 there is hereby appropriated, out of any moneys in the Colorado water
7 conservation board construction fund not otherwise appropriated, to the
8 department of natural resources, for allocation to the Colorado water
9 conservation board, for the fiscal year beginning July 1, 2011, the sum of
10 two hundred fifty thousand dollars (\$250,000), or so much thereof as may
11 be necessary, for the board to continue to provide planning and
12 engineering studies, including implementation measures, to address
13 technical needs for watershed restoration and flood mitigation projects
14 throughout the state.

15 (2) The moneys appropriated in subsection (1) of this section
16 remain available for the designated purposes until they are fully
17 expended.

18 **SECTION 5. Restoration of the flood response fund balance.**
19 (1) The state treasurer shall transfer a total of three hundred thousand
20 dollars (\$300,000), or so much thereof as may be necessary, from the
21 unreserved cash in the Colorado water conservation board construction
22 fund to the flood response fund created in section 37-60-123.2, Colorado
23 Revised Statutes, in order to restore the unencumbered balance in the
24 flood response fund to three hundred thousand dollars (\$300,000).

25 (2) The moneys appropriated in subsection (1) of this section
26 remain available for the designated purposes until they are fully
27 expended.

1 **SECTION 6. Water conservation data tracking project -**

2 **appropriation.** (1) In addition to any other appropriation, there is
3 hereby appropriated, out of any moneys in the Colorado water
4 conservation board construction fund not otherwise appropriated, to the
5 department of natural resources, for allocation to the Colorado water
6 conservation board, for the fiscal year beginning July 1, 2011, the sum of
7 two hundred thousand dollars (\$200,000), or so much thereof as may be
8 necessary, for the board to create comprehensive database tools to track
9 demands, including the identification of conservation potential and the
10 costs and benefits of water conservation, and allowing water use and
11 water conservation data sets and forecasting models to be preserved over
12 time.

13 (2) The moneys appropriated in subsection (1) of this section
14 remain available for the designated purposes until they are fully
15 expended.

16 **SECTION 7. Arkansas river decision support system -**

17 **appropriation.** (1) In addition to any other appropriation, there is
18 hereby appropriated, out of any moneys in the Colorado water
19 conservation board construction fund not otherwise appropriated, to the
20 department of natural resources, for allocation to the Colorado water
21 conservation board, for the fiscal year beginning July 1, 2011, the sum of
22 five hundred thousand dollars (\$500,000), or so much thereof as may be
23 necessary, for the board to begin implementation of the Arkansas River
24 Decision Support System (ArkDSS) as identified in the ArkDSS
25 Feasibility Study, which is part of the overall Colorado Decision Support
26 System. Initial implementation of the ArkDSS will include irrigated
27 acreage mapping, parcel delineation, surface and groundwater data

1 collection, and additional modeling.

2 (2) The moneys appropriated in subsection (1) of this section
3 remain available for the designated purposes until they are fully
4 expended.

5 **SECTION 8. Restoration of litigation fund cash balance.**

6 (1) The state treasurer shall transfer a total of seven hundred thousand
7 dollars (\$700,000), or so much thereof as may be necessary, from the
8 unreserved cash in the Colorado water conservation board construction
9 fund to the litigation fund created in section 37-60-121 (2.5), Colorado
10 Revised Statutes.

11 (2) The moneys appropriated in subsection (1) of this section
12 remain available for the designated purposes until they are fully
13 expended.

14 **SECTION 9. Purchase of Colorado's allotment of Animas-La**

15 **Plata project water - appropriation.** (1) In addition to any other
16 appropriation, there is hereby appropriated, out of any moneys in the
17 Colorado water conservation board construction fund not otherwise
18 appropriated, to the department of natural resources, for allocation to the
19 Colorado water conservation board, for the fiscal year beginning July 1,
20 2011, the sum of twelve million dollars (\$12,000,000), or so much thereof
21 as may be necessary, for the purchase of all or a portion of Colorado's
22 allotment of Animas-La Plata project water pursuant to section 39-29-109
23 (2) (a) (VIII) (B), Colorado Revised Statutes. This would be the second
24 \$12,000,000 installment of the \$36,000,000 authorized under House Bill
25 10-1250, enacted in 2010, for the purchase of all or a portion of
26 Colorado's allotment of Animas-La Plata project water.

27 (2) The moneys appropriated in subsection (1) of this section

1 remain available for the designated purposes until they are fully expended
2 or until June 30, 2015, whichever comes first.

3 **SECTION 10. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.