



Colorado Legislative Council Staff Fiscal Note

## STATE and LOCAL FISCAL IMPACT

**Drafting Number:** LLS 12B-2011**Date:** May 14, 2012**Prime Sponsor(s):** Sen. Schwartz  
Rep. Sonnenberg**Bill Status:** Senate Agriculture**Fiscal Analyst:** Lauren Ris (303-866-3264)

**TITLE:** CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND, IN CONNECTION THEREWITH, MAKING APPROPRIATIONS.

Fiscal Impact Summary	FY 2012-13	FY 2013-14	FY 2014-15
<b>State Revenue</b>			
<b>State Transfers or Diversions</b>			
Transfer from the Perpetual Base Account of the Severance Tax Trust Fund to the Colorado Water Conservation Board Construction Fund	\$20,000,000	\$15,000,000	\$8,000,000
Transfer from the Colorado Water Conservation Board Construction Fund to the Flood and Drought Response Fund	\$300,000		
<b>State Expenditures</b>			
Cash Funds			
Colorado Water Conservation Board Construction Fund	\$28,350,857		
<b>FTE Position Change</b>			
<b>Effective Date:</b> Upon signature of the Governor, or upon becoming law without his signature.			
<b>Appropriation Summary for FY 2012-2013:</b> See State Appropriations section.			
<b>Local Government Impact:</b> See Local Government Impact section.			

### Summary of Legislation

This bill appropriates funds from the Colorado Water Conservation Board (CWCB) Construction Fund for specific water-related projects in FY 2012-13. The bill also:

- transfers funding from the Perpetual Base Account of the Severance Tax Trust Fund to the CWCB Construction Fund to fund two projects;
- clarifies that the State Engineer is authorized to receive and expend contributions from the CWCB;
- changes the Water Supply Reserve Account to the Water Supply Reserve Fund; and
- repurposes the flood response program to include drought preparedness and transfers funding to the Flood and Drought Response Fund.

## **Background**

The CWCB Construction Fund was created in 1971 to provide low-interest loans for water projects. Revenues for this revolving loan fund come from interest earned on outstanding loans and the fund's cash balance and royalty distributions from federal mineral leases.

## **State Transfers**

In FY 2012-13, FY 2013-14, and FY 2014-15, the bill transfers funding from the Perpetual Base Account of the Severance Tax Trust Fund to the CWCB Construction Fund for the Rio Grande cooperative project and the Chatfield Reservoir reallocation project. Each project will receive transfers in two installments.

Rio Grande cooperative project transfers:

- \$15,000,000 will be transferred on July 1, 2012 (FY 2012-13), and
- \$15,000,000 will be transferred on July 1, 2013 (FY 2013-14);

Chatfield Reservoir reallocation project:

- \$5,000,000 will be transferred on January 1, 2013 (FY 2012-13), and
- \$8,000,000 will be transferred on July 1, 2014 (FY 2014-15).

In FY 2012-13, the bill also transfers \$300,000 from the unreserved cash in the Colorado Water Conservation Board Construction Fund to the Flood and Drought Response Fund.

## **State Expenditures**

This bill spends \$28,650,857 in FY 2012-13 from the CWCB Construction Fund. The projects for which moneys are appropriated are shown in Table 1.

<b>Project</b>	<b>Amount</b>
<b>Satellite Monitoring System Maintenance</b> – for Division of Water Resources activities related to installing, maintaining, and operating satellite monitored stream gauges for water rights administration.	\$300,000
<b>Weather Modification Program</b> – provides assistance to water conservation and conservancy districts with the development of cloud seeding programs to provide benefits to recreation, streams, and reservoirs through snowpack enhancement.	175,000
<b>Flood Plain Map Modernization Program</b> – provides assistance to communities to revise and improve flood plain studies and maps.	500,000
<b>Watershed Restoration Program</b> – provides planning and engineering studies, including implementation measures, to address technical needs for watershed restoration and flood mitigation projects throughout the state.	500,000

<b>Table 1. Appropriations for Water-Related Projects in SB12S-002 (Cont.)</b>	
<b>Project</b>	<b>Amount</b>
<b>Phreatophyte Control Cost-Sharing Program</b> – for efforts to control the growth of Tamarisk and other invasive phreatophyte ("water loving") vegetation.	1,000,000
<b>Continuation of the Colorado River Water Availability Study</b> – to determine how much water from the Colorado River Basin System is available to meet Colorado’s future water needs under alternate hydrologies.	2,000,000
<b>South Platte Groundwater Level Data Collection and Analysis</b> – to compile and evaluate available relevant data and create a groundwater database for the South Platte River watershed.	500,000
<b>Alternative Agriculture Water Transfer Sustainability Grant Program</b> – to continue to develop and implement a statewide competitive grant program to advance various agricultural transfer methods.	1,000,000
<b>Rio Grande Cooperative Project</b> – to participate in the planning, design, and rehabilitation of the Rio Grande Reservoir.	5,000,000
<b>Chatfield Reservoir Reallocation Project</b> – to participate in the implementation of the Chatfield Reservoir reallocation project.	5,000,000
<b>Animas-La Plata Project</b> – for purchasing all or a portion of Colorado's allotment of Animas-La Plata project water.	12,000,000
<b>Legal Support for Litigation</b> – to provide legal support and funding for litigation of protests of individual water rights on the State Engineer's abandonment list.	300,000
<b>National Hydrography Dataset</b> – for the State Engineer's Office to provide geographic information system analysis support related to consumptive use, water rights, dam break inundation, and interstate compacts.	75,857
<b>TOTAL</b>	<b>\$28,350,857</b>

**Local Government Impact**

The majority of projects funded under the bill will benefit local water districts.

**State Appropriations**

For FY 2012-13, the bill appropriates \$28,350,857 to the Department of Natural Resources, from the CWCB Construction Fund.

**Departments Contacted**

Natural Resources