

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0476	Date: January 22, 2014
Prime Sponsor(s): Sen. Crowder Rep. Sonnenberg	Bill Status: Senate Agriculture Fiscal Analyst: Clare Pramuk (303-866-2677)

SHORT TITLE: SOIL EROSION COUNTY BOARD OF COMMISSIONERS

Fiscal Impact Summary	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures Cash Funds	Possible increase. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

Summary of Legislation

Under current law, county commissioners are responsible for responding to complaints of property damage from blowing soil due to erosion. This bill allows the county to consult a range specialist or extension agent with expertise in soil conservation or soil science when investigating a complaint.

Under current law, if a landowner, including the state, and fails to comply with a county citation requiring soil treatment, the county may order the treatment may recover no more than \$15 per acre from the landowner. The bill changes this cap to the published market rates for the actual cost of the service.

Background

Soil erosion can be treated in several ways including installing barriers, ridging the soil surface, planting cover crops, and leaving crop residues in the soil. Soil erosion is a significant issue in areas of drought as well as in burn scars left by wildfires.

The State Land Board oversees approximately 2.8 million acres of land, a portion of which, particularly in the southeastern part of the state, is likely to experience soil erosion. On occasion, counties have treated state land and charged the State Land Board \$15 per acre for treatment. The current published market rate for treatment ranges from \$7.50 per acre to \$30.00 per acre depending on the type of treatment.

State Expenditures

This bill may increase cash fund expenditures by the State Land Board in the Department of Natural Resources.

Department of Natural Resources, State Land Board. To the extent that lands overseen by the State Land Board require soil treatment and the State Land Board or its lessee fails to perform the treatment, the State Land Board may have increased expenditures. These expenditures are unknown at this time. If additional information is received, the fiscal note will be updated to show those costs.

Local Government Impact

This bill may increase local government revenue. The fiscal note assumes that counties currently subsidize the cost of soil treatment in some situations because of the \$15 cap, so this bill will enable counties to fully recover the costs of soil treatment. For a county where soil erosion is a serious problem, this bill could significantly increase cost recoveries from both public and private landowners.

Effective Date

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Counties

Natural Resources

Local Affairs

Agriculture