

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 17-0561.01 Thomas Morris x4218

SENATE BILL 17-073

SENATE SPONSORSHIP

Garcia,

HOUSE SPONSORSHIP

Valdez,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROMOTION OF THE RUNYON-FOUNTAIN LAKES STATE**
102 **WILDLIFE AREA.**

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://leg.colorado.gov>.)

The bill directs stakeholders interested in the Runyon-Fountain lakes state wildlife area (including the Colorado division of parks and wildlife, the city of Pueblo, and the Pueblo conservancy district) to cooperatively engage in a long-term process to promote the maximum beneficial development and maintenance of the area. The stakeholders are to report to the general assembly's committees of reference with

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 Unamended
February 21, 2017

jurisdiction over natural resources by March 1, 2018, regarding the progress of the cooperative effort.

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

2 **SECTION 1. Cooperative effort to promote the**
3 **Runyon-Fountain lakes state wildlife area. (1) Legislative**
4 **declaration.** The general assembly hereby:

5 (a) Finds that:

6 (I) The Runyon-Fountain lakes state wildlife area, referred to in
7 this section as the Runyon-Fountain SWA, located along the Arkansas
8 river just upstream of the confluence with Fountain creek and very near
9 the downtown of the city of Pueblo, is a multi-use area featuring thirty
10 acres of ponds, approximately eight-tenths of a mile of river-front access,
11 fishing, wildlife watching, and hiking and biking trails that interconnect
12 with other local trails, including the Pueblo commuter trail;

13 (II) The land and water rights associated with the
14 Runyon-Fountain SWA are owned by the Pueblo conservancy district,
15 referred to in this section as the district, which, while it can participate in
16 the development of parks or recreational facilities, has limited authority
17 to spend money for purposes other than flood mitigation;

18 (III) The district has leased the recreational use of the land and
19 water at the Runyon-Fountain SWA to the Colorado division of parks and
20 wildlife, referred to in this section as the division, which stocks the ponds
21 at the SWA and provides staffing to maintain it, including a public
22 restroom, trash removal, wildlife habitat improvements, law enforcement,
23 and similar services;

24 (IV) Pueblo owns the vehicular access to the Runyon-Fountain
25 SWA and maintains the trails there;

1 (V) While the division has prepared a master plan for the
2 Runyon-Fountain SWA, neither the district nor Pueblo have done so; and

3 (VI) Due to a lack of collaboration between the interested parties,
4 Runyon-Fountain SWA has faced challenges with regard to maintenance,
5 capital improvements, trail improvements, and accessibility for people
6 with disabilities;

7 (b) Determines that:

8 (I) The Runyon-Fountain SWA already provides substantial
9 amenities to the Pueblo regional community and has the potential to
10 become an even greater asset, both economically and by offering
11 higher-quality and more diverse recreational opportunities; and

12 (II) The overlapping and fractured nature of ownership,
13 management, and use of the Runyon-Fountain SWA and the lack of
14 coordination between the affected governments have inhibited the
15 development of the full potential of the Runyon-Fountain SWA; and

16 (c) Declares that this act is necessary to develop the full potential
17 of the Runyon-Fountain SWA.

18 (2) **Process.** The Colorado division of parks and wildlife, the city
19 of Pueblo, the Pueblo conservancy district, and other stakeholders,
20 including local, regional, and statewide entities both public and private,
21 shall cooperatively engage in a long-term process to promote the
22 maximum beneficial development and maintenance of the
23 Runyon-Fountain SWA, including by:

24 (a) Establishing a process for stakeholder input into, and the
25 development and implementation of, a multi-party master plan for the
26 Runyon-Fountain SWA;

27 (b) Exploring potential funding sources, such as from

1 conservation trust funds, the Great Outdoors Colorado trust fund, and
2 gifts, grants, and donations, that can be used to develop and maintain the
3 Runyon-Fountain SWA; and

4 (c) Considering options to facilitate operation of the
5 Runyon-Fountain SWA.

6 (3) **Report.** The Colorado division of parks and wildlife, the city
7 of Pueblo, and the Pueblo conservancy district, on behalf of all of the
8 stakeholders, shall report to the general assembly's committees of
9 reference with jurisdiction over natural resources by March 1, 2018,
10 regarding the progress of the cooperative effort established pursuant to
11 this section.

12 **SECTION 2. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly (August
15 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
16 referendum petition is filed pursuant to section 1 (3) of article V of the
17 state constitution against this act or an item, section, or part of this act
18 within such period, then the act, item, section, or part will not take effect
19 unless approved by the people at the general election to be held in
20 November 2018 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.