



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

FISCAL NOTE

Drafting Number:	LLS 18-0741	Date:	February 23, 2018
Prime Sponsors:	Sen. Sonnenberg Rep. Hansen; McKean	Bill Status:	Senate Agriculture
		Fiscal Analyst:	Matt Becker 303-866-4785 Matt.Becker@state.co.us

Bill Topic: RESERVOIR RELEASES FOR FISH & WILDLIFE MITIGATION

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill establishes a water court process by which a storage water right owner may dedicate reservoir releases to the Colorado Water Conservation Board within the Department of Natural Resources. The bill creates a minimal, ongoing workload increase in the Department of Natural Resources.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

This bill establishes a water court process by which a storage water right owner may dedicate releases from new capacity in a reservoir to the Colorado Water Conservation Board (CWCB) in order to reasonably avoid, minimize, or mitigate impacts on fish and wildlife within a qualifying stream reach, if certain conditions are met.

State Expenditures

The bill will minimally increase workload for two divisions within the Department of Natural Resources. The CWCB will review new contracts that result from the bill. The Division of Water Resources will administer the releases allowed by the bill. The increased workload will be accomplished within existing appropriations. Colorado Parks and Wildlife is required to review fish and wildlife mitigation plans under current law, so no increase in workload is expected. The water courts in the Judicial Branch will also have a minimal workload impact.

Local Government

Storage water right owners, which may include local governments or other entities, who make mitigation releases pursuant to the bill will have an increase in expenditures to pay for construction, operational, and maintenance costs associated with making any required physical modifications to existing water diversion structures. They also must erect, maintain, and repair any required measuring devices.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed, and applies to reservoir release dedication applications filed in water court on or after that date.

State and Local Government Contacts

Judicial Natural Resources