

CG-C: CAPITAL CONSTRUCTION REQUEST FOR FY 2011-12

Project Title:		Land and Water Acquisitions	State Controller Project No.			Name and Email of Preparer:		Pat Mills - pat.mills@state.co.us
Project Year(s):		FY 2011 - 12	Signature of Department or Institution Approval:		<i>Just Ruth</i>	Date:		8-12-10
Agency or Institution:		Department of Natural Resources - Wildlife	Signature CCHE Approval:		<i>N/A</i>	Date:		
Agency or Institution Priority Number:		1	Signature OSPB Approval:		<i>mu2</i>	Date:		8-16-10
Revision?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Total Project Costs	Prior-Year Appropriation(s)	Current Request FY 2011-12	Year 2 Request	Year 3 Request	Year 4 Request	Year 5 Request
A. Land Acquisition								
(1)	Land /Building Acquisition	Ongoing	\$20,000,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000
B. Professional Services								
(1)	Master Plan/PP		\$0	\$0	\$0	\$0	\$0	\$0
(2)	Site Surveys, Investigations, Reports		\$0	\$0	\$0	\$0	\$0	\$0
(3)	Architectural/Engineering/Basic Services		\$0	\$0	\$0	\$0	\$0	\$0
(4)	Code Review/Inspection		\$0	\$0	\$0	\$0	\$0	\$0
(5)	Construction Management		\$0	\$0	\$0	\$0	\$0	\$0
(6)	Advertisements		\$0	\$0	\$0	\$0	\$0	\$0
(7a)	Inflation for Professional Services		\$0	\$0	\$0	\$0	\$0	\$0
(7b)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(8)	Other		\$0	\$0	\$0	\$0	\$0	\$0
(9)	Total Professional Services		\$0	\$0	\$0	\$0	\$0	\$0
C. Construction or Improvement								
(1)	Infrastructure		\$0	\$0	\$0	\$0	\$0	\$0
	(a) Service/Utilities		\$0	\$0	\$0	\$0	\$0	\$0
	(b) Site Improvements		\$0	\$0	\$0	\$0	\$0	\$0
(2)	Structure/Systems/Components							
	(a) New (GSF):		\$0	\$0	\$0	\$0	\$0	\$0
	New \$ /GSF							
	(b) Renovate GSF:		\$0	\$0	\$0	\$0	\$0	\$0
	Renovate \$ /GSF							
(3)	Other (Specify)		\$0	\$0	\$0	\$0	\$0	\$0
(4)	High Performance Certification Program		\$0	\$0	\$0	\$0	\$0	\$0
(5a)	Inflation for Construction		\$0	\$0	\$0	\$0	\$0	\$0
(5b)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(6)	Total Construction Costs		\$0	\$0	\$0	\$0	\$0	\$0
D. Equipment and Furnishings								
(1)	Equipment		\$0	\$0	\$0	\$0	\$0	\$0
(2)	Furnishings		\$0	\$0	\$0	\$0	\$0	\$0
(3)	Communications		\$0	\$0	\$0	\$0	\$0	\$0
(4a)	Inflation on Equipment and Furnishings		\$0	\$0	\$0	\$0	\$0	\$0
(4b)	Inflation Percentage Applied		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
(5)	Total Equipment and Furnishings Cost		\$0	\$0	\$0	\$0	\$0	\$0
E. Miscellaneous								
(1)	Art in Public Places=1% of State Total Construction Costs (see SB 10-94)		\$0	\$0	\$0	\$0	\$0	\$0
(2)	Annual Payment for Certificates of Participation		\$0	\$0	\$0	\$0	\$0	\$0
(3)	Relocation Costs		\$0	\$0	\$0	\$0	\$0	\$0
(4)	Other Costs [specify]		\$0	\$0	\$0	\$0	\$0	\$0
(5)	Other Costs [specify]		\$0	\$0	\$0	\$0	\$0	\$0
(6)	Other Costs [specify]		\$0	\$0	\$0	\$0	\$0	\$0
(7)	Other Costs [specify]		\$0	\$0	\$0	\$0	\$0	\$0
(8)	Total Misc. Costs		\$0	\$0	\$0	\$0	\$0	\$0
F.	Total Project Costs	Ongoing	\$20,000,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000
G. Project Contingency								
(1)	5% for New		\$0	\$0	\$0	\$0	\$0	\$0
(2)	10% for Renovation		\$0	\$0	\$0	\$0	\$0	\$0
(3)	Total Contingency		\$0	\$0	\$0	\$0	\$0	\$0
H.	Total Budget Request	Ongoing	\$20,000,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000
I. Source of Funds								
	CCF		\$0	\$0	\$0	\$0	\$0	\$0
	CF	Ongoing	\$20,000,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000	\$6,500,000
	RF		\$0	\$0	\$0	\$0	\$0	\$0
	FF		\$0	\$0	\$0	\$0	\$0	\$0

CC-C: CAPITAL CONSTRUCTION REQUEST FY 2011-12

1. SUMMARY INFORMATION	Complete Every Row in this Column
a. Agency or Institution Name:	Department of Natural Resources – Division of Wildlife
b. Project Name:	Land and Water Acquisitions
c. State Controller Project Number:	N/A
d. Project's Year (1, 2, etc.):	Ongoing
e. Date Sent to DHE:	N/A
f. Date Sent to OSPB:	July 13, 2010
g. Date Sent to CDC with copy to JBC:	September 1, 2010
h. Date of Project's Most Recent Program Plan:	July 2010
i. Date of Governing Board Approval (for institutions of higher education):	_____ or <input checked="" type="checkbox"/> Not an institution of higher education
j. Continuation Project <i>(there is a corresponding project appropriated in prior year)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list project numbers here: #P0645, #P0719, #P0848, #P0926
k. Request 6-month encumbrance waiver?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If yes, justify below) No waiver is required because this project is considered to be 100% cash funded per the budget instructions, in Chapter 11 Subsection 9 released by OSP&B.
l. Anticipated Project Completion Date:	Ongoing
m. Purpose Code	E(1)
n. New construction or modification?	<input type="checkbox"/> New N/A <input type="checkbox"/> Modification
o. Facility Condition Index Score	___N/A___ Date reported to the State Architect: ___/___/___
p. Total Square Footage	___N/A___ASF ___N/A___ GSF
q. Cost per Square Foot <i>(using construction cost per section C of CC-C form and GSF)</i>	\$N/A

2. TYPE OF REQUEST	"X" <u>All</u> that Apply	Instructions
a. State-funded Project – Higher Education		Requires CDHE then OSPB approval before submission to CDC and JBC. Use CC-C Excel Form and CC-C Word form.
b. State-funded Project – Non Higher Education		Requires OSPB approval only before submission to CDC and JBC. Use CC-C Excel Form and CC-C Word form.
c. 100% Cash Funded Project for higher education institution participating in the Intercept Program		Requires CDHE approval only before submission to CDC. Use CC-C Excel Form and CC-C Word form.
d. Under 100% Cash-Funded Project – Higher Education		Requires CDHE then OSPB approval before submission to CDC and JBC. Use CC-C Excel Form and CC-C Word form.
e. Cash-Funded Project – Non Higher Education	X	Requires OSPB approval only before submission to CDC and JBC. Use CC-C Excel Form and CC-C Word form.
f. Federally Funded Project		Requires CDHE (if Higher Ed) then OSPB approval before submission to CDC and JBC. Use CC-C Excel Form and Word form.
g. IT Project		Use CC-IT Excel form and CC-C Word form. Non Higher Ed agencies must approve with OIT before submission to OSPB.

3. CRITERIA FOR FY 2011-12 PROJECT	“X” Applicable Item(s)	Describe How Criterion is Met for Marked Items
a. 100% Cash or Federally Funded Project	X	This project is funded from either the sale of hunting and fishing licenses or from the sale of the habitat stamp.
b. Priority #1 for department or #1-5 for DHS		
c. Meets Priority Criteria for Higher Education		
d. Project Originally in HJR 08-1042		
e. Continuation Project from FY 2010-11 CCF Appropriation		
f. Statutorily required COP payment for capital construction		
g. Project requires CDHE approval for program review but does not meet FY 11-12 criteria for submission to OSPB. This request does not have OSPB review.		

4. BRIEF SUMMARY OF FY 2011-12 CAPITAL PROJECT	Enter summary below, this column
State exactly what is requested, why, for how much, over what period of time.	<p>The Land and Water Acquisition request is a continuation project from FY2010-11. The DOW prioritizes the acquisition each year and based on available funding. The DOW requests \$6,500,000 CF spending authority from the Wildlife Cash Fund for the Land and Water Acquisitions line item in FY2011-12 to acquire easements as statutorily authorized under Section 33-1-105, C.R.S. (2010), or to acquire fee title to property through a competitive bidding process statutorily authorized under Section 33-1-105.5, C.R.S. (2010). These funds may also be used to option land and/or water in order to hold property until it can be acquired through the above statutorily authorized processes or through separate legislation. This is an ongoing request. Due to the passage of SB 09-235 the Division expects its habitat stamp revenue to increase in FY2011-12 by over \$3 Million (see LLS 09-0873 Fiscal Note) and since the intent of the habitat revenue is to fund land and water acquisitions, the Division’s request is higher than historical levels by \$2 Million.</p>

5. CONTINUATION HISTORY	If this is a continuation project (a project with a former appropriation), complete the following table including all appropriations and expenditures. Include the bill numbers for each appropriation. If not a continuation project, mark here: <input type="checkbox"/> N/A				
	FY 2007-08 Appropriated	FY 2008-09 Appropriated	FY 2009-10 Appropriated	FY 2009-10 Spent to Date	FY 2010-11 Appropriated
Total Funds	\$6,500,000	\$4,500,000	\$4,500,000	\$6,200,211	\$4,500,000
General Fund					
Cash Funds	\$6,500,000	\$4,500,000	\$4,500,000	\$6,200,211	\$4,500,000
Cash Funds Exempt / Reappropriated Funds					
Federal Funds					
Bill Number(s)	SB07-239	HB08-1375	SB09-259		HB10-1376

6. OBJECTIVES	Enter summary below, this column
<p>a. List key objectives of the entire project – big picture</p> <p>This row not applicable as this is a single year project: <input type="checkbox"/> N/A</p>	<p>Ensure habitats are protected, enhanced, and conserved in order to maintain healthy and viable wildlife populations. Protect wildlife habitat and secure public access to wildlife by acquiring interest in lands through conservation easements, management agreements and fee title purchases. Land and water acquisition is essential for the Division to meet critical goals, such as providing hunting and fishing recreation in Colorado and protecting species from being listed under the Federal Endangered Species Act.</p>
<p>b. List key objectives of this year's specific request - detailed</p>	<p>The key objectives of this year's request are the same as above. Acquisitions are not determined until the Request for Proposal (RFP) is sent out and applicants are selected based on prioritization. The proposals will be reviewed and evaluated by the Division, then presented to the Wildlife Commission. Proposals involving use of Habitat Stamp Funds are also reviewed by the Habitat Stamp Committee. In both instances, the Wildlife Commission decides which proposals are to be pursued and authorizes the Division to proceed to negotiate a purchase and sale agreement. These proposals will meet the key objectives of the Division.</p>

7. ESTIMATED ENTIRE PROJECT TIMETABLE:			
Delineate how many years this project crosses from start to finish, describing what portion of the project each year will accomplish.			
Steps to be Completed	Start Date(s)	Completion Date(s)	Year
Physical Planning Phase – Final product of this phase is an RFP or RFP's soliciting proposals from landowners to enter into voluntary negotiations with the CDOW for the sale of land or water.	July 2010 - June 2013	TBD	0,1,2
Acquisition Phase – This will vary depending on the outcome of negotiations on each individual parcel of land or water acquisitions.	July 2011 - June 2014	TBD	1,2,3

8. FY 2011-12 SPECIFIC TIMETABLE:		
Delineate the steps that will be taken in FY 2011-12 to complete this project or this phase of the project.		
Steps to be Completed	Start Date(s)	Completion Date(s)
Request for Proposals Announced	Mid May 2011	June 30, 2011
CDOW staff reviews and scores each project.	July 1, 2011	Beginning Aug 2011
Update Wildlife Commission on all proposals reviewed.	Beginning Aug 2011	Beginning Aug 2011
Notify Property Owners and Partners if proposal is moving forward.	Mid Aug 2011	Late Aug 2011
Habitat Stamp Committee (HSC) and Director's Staff each meet to rank the remaining projects. The HSC develops its final recommendation, delivered to the Director and Wildlife Commission, on projects for which the HSC supports funding. Director meets with staff to develop the staff recommendation on projects to move forward.	Late August 2011	Late August 2011

Wildlife Commission considers the Director's recommendations for projects that are or are not moving forward.	Mid Sept. 2011	Mid Sept 2011
Property owners and partners whose projects have remained under consideration to this point are notified if their particular proposal is moving forward for additional consideration.	Mid Sept 2011	Mid Sept 2011
Research is conducted on the remaining projects and the Director's final recommendation is developed. The Director of CDOW considers HSC and staff input, and results of project research, and develops final recommendations based on RFP criteria, with CDOW Senior staff input. Wildlife Commission is updated in October.	Late September 2011	Late Oct 2011
Materials sent to Wildlife Commission	Late Oct 2011	Late Oct 2011
Projects approved by the Wildlife Commission at their meeting in Alamosa. Those approved will move forward into negotiation after January 1.	Mid Nov 2011	Mid Nov 2011
Decision notices go out to property owners and partners by email; follow-up letters and calls begin immediately to those whose proposals had remained in the process to this point.	Mid Nov 2011	Mid Nov 2011
Funds Available	Jan 1, 2012	Jan 1, 2012

9. IMPACT	Enter summary below, this column
a. Describe actual impact to program if this year's project is not funded	Property can be acquired by the General Assembly acting by bill, but this can result in time delays which significantly impact the Division's ability to negotiate a purchase. In some instances, habitat can be protected through other strategies (operating leases, management agreements, landowner incentive programs, etc) and the Division does make use of all of these alternative approaches. However, in many cases these alternatives are not as cost-effective as acquiring a permanent easement or fee title to property. The long term failure to acquire properties and protect wildlife habitat may result in the decline of both game and non-game species. Given the tourism and economic benefits of hunting and fishing in Colorado, the decline of species could lead to a significant decline in both the state and local economy. Further, additional listings of species under the federal Endangered Species Act may result in significantly more restrictive land and water use policies. Such restrictions have the potential to reduce the benefits derived from land and/or water which provides habitat to all species in Colorado.
b. Describe how this project will affect State operating expenditures, including dollars and FTE for each project component.	Because the properties to be obtained with this line item will be identified after the appropriation is approved, it is impossible to determine the operating expenses. However, the operating budgets will be included in and absorbed in next year's DOW operating budget request. Operating expenses for these properties generally include Impact Assistance Grants (formerly referred to as Payment in lieu of Taxes or "PILT" payments) as authorized in Section 30-25-302, C.R.S. (2010), signage, and other miscellaneous expenses required for maintaining and/or opening the property to the public, which will be absorbed in the Division's operating budget request. Any related impacts would be funded from the Wildlife Cash Fund.
c. Describe consistency with Agency or Institutional Master Plan and 5-Year Capital Improvement Plan Schedule, explain variances	This line item will fund land and water acquisitions, for which no facility plan or management plans yet exist. Acquisitions are guided by the Division's Real Estate Plan, which was adopted by the Colorado Wildlife Commission in March, 2000.

10. JUSTIFICATION	Enter summary below, this column
<p>Fully justify and defend this request. This will be the most lengthy section of the request. Include all necessary detail and specific scope of work. Describe how much space is needed, what types of rooms or equipment are included in the request and why, and illustrate where on campus the project will be executed. Explain what is wrong with the current situation and why a new or different building or capital expenditure is needed. Focus more on why the current facilities are insufficient, less on why the current programs are driving change.</p>	<p>Colorado's valuable wildlife resources face extraordinary challenges compared to just a few years ago. Wildlife in Colorado lives in a vastly different environment. Changes in Colorado's demographics and population with associated impacts caused by development, along with tremendous growth in energy exploration and development, will continue in the future to provide the agency with difficult challenges in managing wildlife and wildlife habitats.</p> <p>Protecting wildlife and wildlife habitats in the state has been a long-time, major goal of the Division. In September of 2009, the Colorado Wildlife Commission revised its strategic plan to further address habitat conservation issues. The first objective in the Strategic Plan is to “protect, restore and enhance habitat for fish and wildlife.” in order to maintain healthy and viable wildlife populations. These strategies will ultimately allow the agency to provide quality recreational opportunities to the public whether it’s watching wildlife, hunting, fishing, or engaging in any other outdoor recreation.</p> <p>Priorities for acquiring interest in property are guided by the Division of Wildlife’s Strategic Plan as well as its Real Estate Plan, adopted by the Wildlife Commission in March, 2000. That plan provides criteria for evaluating potential acquisitions and endorses the principle that the Division should acquire the minimum interest necessary to accomplish the objectives of each particular acquisition. Thus, easements will continue to be emphasized over fee title acquisitions.</p> <p>The Division’s property acquisition efforts are vested to the Wildlife Commission per Section 33-1-105, C.R.S. (2009) and acquisitions for fee title interest are guided by the procedure described in Section 33-1-105.5, C.R.S. (2010). Pursuant to this statute, the Division has two methods of acquiring fee interest in real property: issue a Request for Proposal (RFP) inviting property owners to submit proposals to convey property to the Division or; submit a request to the general assembly to act by bill. The RFP advertisement identifies types of habitat land and locations in which the Division is interested. Proposals are reviewed and evaluated by the Division, then presented to the Wildlife Commission. Proposals involving use of Habitat Stamp Funds are also reviewed by the Habitat Stamp Committee, who makes recommendations to both the Division Director and Wildlife Commission. In both instance, the Wildlife Commission decides which proposals are to be pursued and authorizes the Division to proceed to negotiate a purchase and sale agreement. Prior to concluding the purchase of a property, the Division presents the proposed acquisition to the Capital Development Committee.</p> <p>Priorities for acquisitions include sage brush habitat, critical deer and elk winter range and migration corridors, habitat to support federally listed species (threatened and endangered species), habitat for species of special concern, and wetlands and riparian habitat.</p> <p>Of the \$6.5 million requested in this line item, all revenue will come from the sale of the habitat stamp. The legislation that created the habitat stamp requires that a minimum of sixty percent of the revenue be spent to benefit big game winter range or big game migration corridors. The other forty percent can be used for other priorities such as hunting and fishing access.</p> <p>Property acquisition is an essential part of the Division’s efforts to protect the</p>

	<p>habitat of both game species as well as threatened and endangered species. In this regard, funding for Land and Water Acquisitions is essential for the Department to meet critical goals, such as providing hunting and fishing recreation in Colorado and protecting species from being listed under the federal Endangered Species Act. The following performance measures are related to this request: DNR-1: Number of species on the “species of greatest conservation need” list; DOW-1: Number of Licensed Hunters in Colorado; DOW-3: Number of species listed under the Federal Endangered Species Act / Prevented–State Listing; and DOW-4: Number of habitat acres protected. Specific details regarding these measures can be found in the Department’s annual Strategic Plan.</p>
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11. CALCULATIONS	Describe how the numbers on the CC-C Excel form were calculated; describe in this column, FY 2011-12 only. Out years will be requested separately
Assumptions and calculations for land purchase	Acquisitions are not determined until the Request for Proposal (RFP) is sent out and applicants are selected based on prioritization. As such, no additional detail about the requested appropriation is available.
Assumptions and calculations for professional services	N/A
Assumptions and calculations for construction	N/A
Provide list of equipment and furnishings to total on CC-C Excel form	N/A
Art in public places: describe what portions of project apply and calculation used. The calculation should apply only to State funds (see SB 10-94)	N/A
Discuss all inflation assumptions, as delineated on the CC-C form, by year and by component (professional services, construction or improvement, and equipment and furnishings)	N/A
Discuss HPCP cost assumptions	N/A
Other	
Other	
Other	

12. CASH FUND PROJECTION					
Does request include cash funds?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If no, proceed to question #13)				
If the project is being financed, describe the terms of the bond, including the length of the bond, the expected interest rate, when the agency plans to go to market, and the expected average annual payment.	<input checked="" type="checkbox"/> N/A				
Cash Fund Sources Lists <i>(list all separately; projected balances must account for other obligations)</i>	Actual FY 2009- 10 Cash Fund Balance	End Fund Balance FY 2009-10	Projected FY 2010-11 End Cash Fund Balance	Projected End Cash Fund Balance FY 2011-12	Projected End Cash Fund Balance FY 2012-13
a. Fund Number: <u> 410 </u>					
Cash Funds	\$39.2	\$39.2	\$39.1	\$40.3	\$40.5

Described how revenue accrues to the fund	Revenues in the Wildlife Cash Fund (Fund 410) are generated from wildlife hunting and fishing license fees and various other sources. The vast majority of the revenue the Division receives is deposited in the Wildlife Cash Fund. Most, but not all of the Division’s operating and capital expenditures are charged against this fund. Final revenue for FY 2009-10 will not be available until the middle of August 2010 after final year-end close. At the end of FY 2008-09, net assets in the Wildlife Cash Fund (Fund 410) were \$275.9 million.
Describe other obligations and encumbrances to the fund	The Division estimates that there will be approximately \$30.0 million in capital construction projects in various stage of the pipeline by the end of FY 2011-12. However, it is unrealistic to assume that all of these obligations will be spent in any given year and the Division anticipates that approximately \$6 million of the Wildlife Cash fund will be spent in any given year. In addition, the Wildlife Commission’s Wildlife Cash Fund policy states that the DOW “will keep in reserve an amount that is equal to 10% of license revenue generated in the current fiscal year.” That reserve figure for FY 2011-12 is projected to be about \$39.1 Million. The Division has adjusted for an anticipated decline in revenue by reducing the Division’s spending, thereby increasing the fund balance to ensure existing projects can be fully funded. DOW anticipates that cash revenues will increase in the next few years.

13. RELATED PROJECTS		<u>Delineate capital construction and controlled maintenance projects for this department, DHS Office, or higher education institution appropriated since FY 2007-08. 100% cash funded projects for higher education do not need to be listed.</u>		
Year	Project #	Item	CCF Cost	Pending Underway, or Requested
		This information is provided in Attachment B (FY 2007-08), Attachment C (FY 2008-09), Attachment D (FY 2009-10), and Attachment A (FY 2010-11).	\$	
			\$	
			\$	
			\$	
			\$	

14. PROGRAM PLAN	
Describe any changes to this project on the Program Plan, Master Plan, or Five Year Plan since its submission to the Capital Development Committee	<input checked="" type="checkbox"/> No changes <input type="checkbox"/> Changes are described below This line item will fund acquisition of new properties, for which no facility plans or management plans yet exist. Acquisitions are guided by the Division’s Real Estate Plan, which was adopted by the Colorado Wildlife Commission in March of 2000. The project request is in conformance with the most recently approved Department Strategic Plan.

15. ADDITIONAL INFORMATION

Provide any additional information to best justify the request.

The following are the projects that will be funded from this Capital Construction Request.

Department of Natural Resources Division of Wildlife CAPITAL CONSTRUCTION REQUEST FY 2011-12 Land and Water Acquisitions				
Project No.	Wildlife Region/Area	Location	Project Name	Budget Request
P1	TBD	Statewide	FY11-12 RFP - Property Acquisitions - Habitat Stamp Properties and Non-Habitat Stamp Properties	6,500,000
			Subtotal - Project Estimate	6,500,000
			Contingency - N/A	0
			TOTAL	6,500,000

In FY09-10 The Division closed on the following properties:
 Andrick
 Torres
 Chubb Park
 Tomichi Creek
 Berthleson
 Jumping Cow