

Natural Resources & Environment

Natural Resources & Environment
Deputy Attorney General





FY09-10 Reconciliation of Request

Water and Natural Resources

(New Format)

- A. Fed & Interstate Water Unit**
- B. Def of Colorado River**
- C. Def of Republican River**
- D. Consultant Expense**
- E. CERCLA**
- F. CERCLA Contracts**
- G. NR Damage Claims at RMA**



DEPARTMENT OF LAW

FY 2009-10 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(A) Federal and Interstate Water Unit						
Personal Services						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$480,363	5.5	\$480,363	\$0	\$0	\$0
Prior Year Salary Survey	\$15,877	0.0	\$15,877	\$0	\$0	\$0
Prior Year Performance-based Pay	\$5,440	0.0	\$5,440	\$0	\$0	\$0
Vacancy Savings Reduction	\$0	0.0	\$0	\$0	\$0	\$0
FY 09-10 Base Request	\$501,680	5.5	\$501,680	\$0	\$0	\$0
Operating Expenses						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$25,192	0.0	\$25,192	\$0	\$0	\$0
FY 09-10 Base Request	\$25,192	0.0	\$25,192	\$0	\$0	\$0
FY 2009-10 Base Request - Federal and Interstate Water Unit	\$526,872	5.5	\$526,872	\$0	\$0	\$0
Decision Item Requests						
FY09-10 DI - #3 Consolidation of Colo River/Fed & Interstate Unit	\$398,329	4.0	\$398,329			
FY 2009-10 November 1st Request - Federal & Interstate Water Unit	\$925,201	9.5	\$925,201	\$0	\$0	\$0
FY 2008-09 Previous Year Request - Federal and Interstate Water Unit	\$505,555	5.5	\$505,555	\$0	\$0	\$0

DEPARTMENT OF LAW

FY 2009-10 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(B) Defense of the Colorado River Basin Compact						
Personal Services						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$520,312	4.0	\$0	\$0	\$520,312	\$0
Prior Year Salary Survey	\$11,994	0.0	\$11,994	\$0	\$0	\$0
Prior Year Performance-based Pay	\$3,352	0.0	\$3,352	\$0	\$0	\$0
Vacancy Savings Reduction	\$0	0.0	\$0	\$0	\$0	\$0
FY 09-10 Base Request	\$535,658	4.0	\$15,346	\$0	\$520,312	\$0
Operating Expenses						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$24,688	0.0	\$0	\$0	\$24,688	\$0
FY 09-10 Base Request	\$24,688	0.0	\$0	\$0	\$24,688	\$0
FY 2009-10 Base Request - Defense of the Colorado River	\$560,346	4.0	\$15,346	\$0	\$545,000	\$0
Decision Item Requests						
FY09-10 DI - #3 Consolidation of Colo River/Fed & Interstate Unit	(\$560,346)	(4.0)	(\$15,346)	\$0	(\$545,000)	\$0
FY 2009-10 November 1st Request - Federal & Interstate Water Unit	\$0	0.0	\$0	\$0	\$0	\$0
FY 2008-09 Previous Year Request - Defense of the Colorado River	\$545,000	4.0	\$0	\$0	\$545,000	\$0

DEPARTMENT OF LAW
 FY 2009-10 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(C) Defense of the Republican River Compact						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 09-10 Base Request	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2009-10 November 1st Request - Defense of the Republican River	\$110,000	0.0	\$0	\$110,000	\$0	\$0
FY 2008-09 Previous Year Request - Defense of the Republican River	\$110,000	0.0	\$0	\$110,000	\$0	\$0
(D) Consultant Expenses						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 09-10 Base Request	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 2009-10 November 1st Request - Consultant Expenses	\$50,000	0.0	\$0	\$50,000	\$0	\$0
FY 2008-09 Previous Year Request - Consultant Expenses	\$50,000	0.0	\$0	\$50,000	\$0	\$0

DEPARTMENT OF LAW

FY 2009-10 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(E) Comprehensive Environmental Response, Compensation and Liability Act						
Personal Services						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$449,941	4.8	\$425,274	\$0	\$24,667	\$0
Prior Year Salary Survey	\$15,026	0.0	\$15,026	\$0	\$0	\$0
Prior Year Performance-based Pay	\$4,737	0.0	\$4,737	\$0	\$0	\$0
Vacancy Savings Reduction	\$0	0.0	\$0	\$0	\$0	\$0
FY 09-10 Base Request	\$469,704	4.8	\$445,037	\$0	\$24,667	\$0
Operating Expenses						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$22,080	0.0	\$20,869	\$0	\$1,211	\$0
FY 09-10 Base Request	\$22,080	0.0	\$20,869	\$0	\$1,211	\$0
FY 2009-10 November 1st Request - CERLA	\$491,784	4.8	\$465,906	\$0	\$25,878	\$0
FY 2008-09 Previous Year Request - CERLA	\$472,021	4.8	\$446,143	\$0	\$25,878	\$0
(F) Comprehensive Environmental Response, Compensation and Liability Act Contracts						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$600,000	0.0	\$175,000	\$0	\$425,000	\$0
FY 09-10 Base Request	\$600,000	0.0	\$175,000	\$0	\$425,000	\$0
FY 2009-10 November 1st Request - CERLA Contracts	\$600,000	0.0	\$175,000	\$0	\$425,000	\$0
FY 2008-09 Previous Year Request - CERLA Contracts	\$600,000	0.0	\$175,000	\$0	\$425,000	\$0

DEPARTMENT OF LAW

FY 2009-10 RECONCILIATION OF DEPARTMENT REQUEST

(4) Water and Natural Resources

Long Bill Line Item	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
(G) Natural Resource Damage Claims at Rocky Mountain Arsenal						
Personal Services						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$1,209,227	2.4	\$0	\$0	\$1,209,227	\$0
FY 09-10 Base Request	\$1,209,227	2.4	\$0	\$0	\$1,209,227	\$0
Operating Expenses						
FY 2008-09 Long Bill Appropriation (HB 08-1375)	\$3,697	0.0	\$0	\$0	\$3,697	\$0
FY 09-10 Base Request	\$3,697	0.0	\$0	\$0	\$3,697	\$0
FY 2009-10 Base Request - RMA	\$1,212,924	2.4	\$0	\$0	\$1,212,924	\$0
Decision Item Requests						
FY09-10 DI - #3 Consolidation of Colo River/Fed & Interstate Unit	(\$1,017,924)	(2.4)	\$0	\$0	(\$1,017,924)	\$0
FY 2009-10 November 1st Request - NRD Claims @ RMA	\$195,000	0.0	\$0	\$0	\$195,000	\$0
FY 2008-09 Previous Year Request - RMA	\$1,212,924	2.4	\$0	\$0	\$1,212,924	\$0
(4) Water and Natural Resources						
FY 2008-09 Total Appropriation (Long Bill plus Special Bills)	\$3,495,500	16.7	\$1,126,698	\$160,000	\$2,208,802	\$0
FY 2009-10 Base Request	\$2,371,985	14.3	\$1,566,107	\$160,000	\$645,878	\$0

(5)

(6)

(7)

Narratives

Natural Resources &

Water Rights





1. The first step in the process of
 identifying a problem is to
 recognize that a problem exists.
 This often involves gathering
 information about the situation
 and identifying the symptoms
 of the problem.

2. Once a problem has been
 identified, the next step is to
 define the problem in terms of
 specific, measurable objectives.
 This helps to clarify the scope
 of the problem and provides a
 clear target for the solution.



3. After defining the problem,
 the next step is to generate
 potential solutions. This
 involves brainstorming ideas
 and evaluating them based on
 their feasibility and effectiveness.
 It is important to consider a
 range of options and to be
 open to creative solutions.

4. Once a solution has been
 chosen, the next step is to
 implement it. This involves
 developing a plan of action,
 allocating resources, and
 monitoring progress. It is
 important to communicate
 the solution to all relevant
 parties and to provide ongoing
 support and feedback.



I) BACKGROUND INFORMATION: NATURAL RESOURCES AND ENVIRONMENT UNIT (Non-Legal Services to State Agencies).

Introduction to the Natural Resources and Environment Section

The Natural Resources and Environment Section currently has 37 lawyers, 9 legal assistants, and 4 support staff. These dedicated employees protect and defend the interests of the State and its citizens in all areas of natural resources law and environmental law. The Section is made up of seven units that represent and advise state agencies and boards that regulate and oversee the development, use and conservation of Colorado's natural resources and the quality of Colorado's environment.

Federal and Interstate Water Unit

This Unit protects the State's interests in the waters of interstate rivers, with respect to both interstate water allocation and federal environmental requirements, including the Endangered Species Act. The Unit also works with state water users to protect the state's interests in the timely and reasonable resolution of federal claims for water rights, including reserved water rights and claims for instream flows.

Defense of the Colorado River Compact

This Unit provides legal counsel and representation to the Department of Natural Resources ("DNR"), the Colorado Water Conservation Board, and the State Engineer on issues pertaining to the Colorado River and the Colorado River Compact. The Unit's major tasks include researching issues relevant to potential litigation, preparing a litigation database of the voluminous documents relevant to the Colorado River, and assisting the State Engineer in preparing rules for any in-state curtailment of water rights resulting from a Colorado River Compact call. These activities also prepare the State of Colorado to fully participate in ongoing negotiations with the other Colorado River basin states that are signatories to the Colorado River Compact. We are proposing that this Unit be combined with the Federal and Interstate Water Unit as the work of these two units is very interrelated and it will be more effective and efficient to have one unit.

CERCLA Litigation Unit

This Unit handles the legal work for ten seriously contaminated sites – known as Superfund sites – most of which are being cleaned up under consent decrees by those who contaminated them. The Unit works to recover the state's costs for overseeing these cleanups from the responsible parties to the greatest extent possible. Damages for injury to natural resources (sometimes called NRDs) held by the state in trust for its citizens have been collected from the responsible parties at several sites. The Unit assists the state's Natural Resource Trustees in determining how to allocate the NRDs funds to restore or replace the injured natural resources such as ground water, wildlife habitat, and fish populations.

II) PRIOR YEAR LEGISLATION

None

III) HOT ISSUES

Interstate Waters

The Federal and Interstate Unit and Colorado River Unit continue to provide the necessary highly specialized consul to state agencies and leaders. During FY 2008, the Unit and Unit won a victory in the Colorado Supreme Court in the New Use Confined Aquifer Rules case, assisted in successfully protecting and implementing the water rights for the Animus-La Plata Project, began work on promulgating rules to better administer the Republican River and Arkansas River Compacts, continued to collect and code thousands of documents related to the Colorado River Compact and worked with State agencies and state and federal elected officials to protect Colorado's water and water users.

California Gulch Natural Resources Damages Settlement

Over FY 2009, the CERCLA Litigation Unit will finalize settlement of the cleanup of various Operable Units at the Cal Gulch site. Once engineering and institutional controls are in place, much of the site will be eligible for delisting from the National Priorities List of hazardous sites. The settlement will also make \$10.5 million from Resurrection/Newmont and up to \$10 million from Asarco available for natural resources damages. Natural resource projects will need to be identified for funding by a committee that includes the State Natural Resource Trustees.

Leadville Mine Drainage Tunnel (LMDT)

This portion of the California Gulch is owned by the U.S. Bureau of Reclamation, which operates a water treatment plant. While the LMDT is not legally part of the California Gulch site, the Lake County Commissioners believe California Gulch site problems may be causing a build-up of water behind the LMDT, which could suddenly release and flood a portion of Leadville. Pursuant to recent federal and state legislation, engineering studies and legal research is being done to determine whether California Gulch issues contribute to the LMDT problem and if so what can be done to remedy the water build-up.

Rocky Mountain Arsenal Resources Damages Settlement

The State settled its case against Shell Oil Company and the United States for natural resource damages for over \$34 million. These funds will be made available for natural resources restoration projects over the next several years. The natural resources damages Trustees, in cooperation with local entities, will solicit and select suitable projects.

Natural Resources Damages Claim at Lowry Landfill CERCLA Site

The CERCLA Litigation Unit is investigating and preparing for litigation against the City and County of Denver and Waste Management, Inc. regarding a claim for damages to State groundwater at Lowry Landfill.

ASARCO Bankruptcy

Asarco declared bankruptcy due to environmental liabilities in August 2005. The State filed a claim at 6 sites for approx \$127 million. The largest site, California Gulch, has been settled and has received court approval. The remaining sites are addressed in two settlement agreements being filed as part of Asarco's Reorganization Plan. Asarco's parent company is expected to challenge many of the settlement agreements. The Hazardous Waste Unit will assist in discovery, preparation of expert and fact witnesses, and presentation of such if necessary during the confirmation hearings in Corpus Christi, TX. The Unit is also assisting in drafting, negotiation, and lodging of consent decree for the sale of Asarco's Globe Plant property to a prospective brownfield developer.

IV) WORKLOAD MEASURES

Federal and Interstate Water Unit

The primary purpose of the Federal and Interstate Water Unit is to defend the rights and interests of the State of Colorado and its water users against claims made by federal agencies or other States. The Unit handles all matters regarding water right claims made by federal agencies, including federal reserved rights, as well as providing advice and planning related to Colorado's Compacts, interstate decrees and any other interstate agreements relating to the water resources of the State. Attorneys within the Unit have developed the very specific knowledge to provide legal assistance within this very specialized area of law and policy.

The major litigation currently within the Unit involves the Rio Grande Compact, the Arkansas Compact and the Republican River Compact. The Unit continues to provide counsel for the ongoing disputes between Kansas and Colorado involving the Arkansas River. The Unit provides legal advice regarding disputes under the Decree and how Colorado's water resources development can continue under the terms of that Decree. Specifically, Unit attorneys are involved in drafting rules to address the potential adverse affects of increased irrigation efficiency on Compact compliance and are involved in several cases in the Division 2 water court with compact implications.

In the Rio Grande, Unit attorneys continue to work with the State Engineer and affected water users to develop rules to address well impacts on surface water supplies and Colorado's Compact obligation. As part of that effort, Unit attorneys are defending the State Engineer's approval of Subdistrict No. 1 of the Rio Grande Water Conservation District that addresses these issues. Unit attorneys continue to monitor developments

related to both the Rio Grande Compact and the Costilla Creek Compact, not only with regards to actual water flow, but also other environmental matters that may adversely impact Colorado's ability to meet its compact obligations.

Unit attorneys continue to work with state leaders to address Colorado's compliance with the Republican River Compact, including a proposed compact compliance pipeline, while providing counsel on disputes between Kansas and Nebraska to assure that any position taken by either of those states does not adversely impact Colorado's ability to meet its compact obligations.

Finally, Unit attorneys continue to provide legal counsel to the State Engineer and the CWCB in diverse matters with federal or interstate implications including the continuing development of the Animas-La Plata project, resolution of federal reserved claims for the Black Canyon of the Gunnison and the Great Sand Dunes National Park and Preserve as well as numerous smaller water court cases throughout the State.

Continually increasing demands for scarce water, both within and without the State, ensure that the Unit's workload remains heavy. As the Unit attorneys take over more of Arkansas Compact matters from outside counsel, that workload will also increase. Downstream states will continue to covet Colorado's compact entitlements and monitor Colorado's actions closely, seeking an advantage for their water users.

Colorado River Unit

The Colorado River Unit focuses on interstate issues regarding the Colorado River, including actions by other states that may impact Colorado's rights under the Colorado River Compact and the Upper Basin Compact. Currently, the Unit is funded through the CWCB, however the Department is requesting that this Unit be absorbed in full into the Federal and Interstate Water Unit starting in FY10 and be funded with general fund over the next two years.

The Unit attorneys provide counsel on the operation of the Colorado River and its storage and other water projects under the Colorado River and Upper Colorado River Compacts. The Unit provides legal advice on interstate negotiations, agreements, legislation and litigation. These actions include monitoring implementation of interim surplus criteria for the lower Colorado River basin, including California's compliance with its 4.4 Plan, monitoring and joining proposals or litigation that may affect operation of Glen Canyon or Hoover Dam, assist in analyzing the effects of drought on Colorado River water supplies and assist Department of Natural Resources in evaluating Colorado's options to respond to Colorado River shortages, monitoring the effects of disputes within California on California's 4.4 Plan, continuing to participate in talks with the Department of Interior to finalize the Environmental Impact Statement and Record of Decision on implementing Lower Basin shortages and coordinating Colorado River reservoir operations under low reservoir conditions, monitor implementation of interim surplus criteria for the lower Colorado River basin, and monitoring and providing advice to Department of Natural

Resources regarding plans for developing Colorado's apportionment under the Compacts, including the Aaron Million project and other similar projects.

Additionally, the Unit is charged with the long term task of collecting documents and organizing an electronic database for those documents that relate to the development, implementation or interpretation of the Colorado River Compact or the Upper Basin Compact. This includes working with and monitoring outside vendors for the collection, scanning and organization of millions of documents. This work is in anticipation of litigation regarding these Compacts. Because this collection and organization is so time consuming, it must be accomplished well in advance of any actual litigation or disagreement and will have to be continually maintained so as to be an up to date and valuable tool for Colorado to protect its entitlement and its water users.

CERCLA Litigation Unit

The CERCLA Litigation Unit provides legal advice to the three Natural Resources Trustees regarding damages claims, and coordinates HMWMD staff, consultants, expert witnesses, and stakeholders in a timely fashion. The Unit also prepares litigation plans and budgets promptly and accurately. Two recently-settled natural resources damages (NRDs) cases will require significant legal support as stakeholder groups in the north Metro area and in Lake County compete to have potential restoration projects funded from settlement monies. Similar NRDs restoration efforts are on-going at previously settled case sites. The HMWMD has begun a program to identify other possible NRDs claims at contaminant-release sites.

In 2008, \$978,443.83 for the State's Past Costs at the Rocky Mountain Arsenal for FY 2006 was deposited in the Hazardous Substance Response Fund ("HSRF"). In 2009, \$525,159 for the State's Past Costs for the Rocky Mountain Arsenal was deposited in the HSRF. An additional \$500,000 is also expected to be deposited in the HSRF in FY 2009, for a total Rocky Mountain Arsenal Past Costs recovery of approximately \$1,000,000.

Also in 2009, approximately \$188,000 for the State's Past Costs at California Gulch will be deposited in the HSRF. In addition in 2009, approximately \$5.3 million from Newmont Mining for California Gulch Natural Resource Damages will be deposited as follows: General Fund \$427,926; HSRF \$329,485; and Natural Resources Damage Recovery Fund receives the remaining amount of approximately \$4.5 million. Finally, settlement of the Rocky Mountain Arsenal Natural Resource Damage case will result in over \$17 million to be deposited in the Natural Resources Damage Recovery Fund in FY 09.

FY 09-10
Budget
Schedules 2, 3 and 4
NR & WR - Federal & Interstate Water



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
FEDERAL & INTERSTATE WATER UNIT										
General Fund	477,576	4.9	515,142	4.6	505,555	5.5	578,565	5.5	925,201	9.5
General Fund Exempt	477,576		515,142		505,555		578,565		925,201	
Cash Funds	-		-		-		-		-	
Reappropriated Funds	-		-		-		-		-	

⑤

⑤

⑤

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

FEDERAL & INTERSTATE WATER UNIT

Item	Actual FY 07		Actual FY 08		Approp. FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	96,605	0.9	64,690	0.7	99,492	1.0	99,492	1.0	99,492	1.0
Assistant Attorney General II	76,985	1.0	-		-	0.0	-	0.0	-	0.0
Assistant Attorney General I	134,691	2.0	208,945	3.0	249,036	3.5	249,036	3.5	249,036	3.5
Legal Assistant II	59,700	1.0	61,564	1.0	65,580	1.0	65,580	1.0	65,580	1.0
TOTAL POSITION DETAIL	367,981	4.9	335,199	4.6	414,108	5.5	414,108	5.5	414,108	5.5
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	35,639		33,355		42,032		42,032		42,032	
Medicare on Continuation Subtotal	3,750		4,375		6,005		6,005		6,005	
Non-Base Building Performance Awards					1,088		1,088			
Part-Time/Temporary Salaries	244		64,613		-		-		39,535	
Contractual Services										
Leave										
Other	39,633	4.9	102,978	4.6	82,088	5.5	82,088	5.5	87,572	5.5
SUBTOTAL	407,614	4.9	438,177	4.6	496,196	5.5	496,196	5.5	501,680	5.5
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B										
Difference										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	19,647		19,538		26,386		26,386			
Salary Survey	[28,774]		[17,999]		[15,877]		[15,877]			
Performance Award			[6,412]		[6,800]		[6,800]			
Short Term Disability	426		422		493		493			
SB 04.257 A.E.D.	2,493		3,806		6,573		6,573			
SB 06.235 S.A.E.D.			682		3,131		3,131			
Other	495		5,875							
(I.E.) BASE PERSONAL SERVICES TOTAL=	430,675	4.9	468,501	4.6	532,779	5.5	532,779	5.5	501,680	5.5
C+D										

[] Indicates a Non-add

SCHEDULE 3 - OPERATING PROGRAM DETAIL

FEDERAL & INTERSTATE WATER UNIT

Department of Law Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation	2,693		2,119				4,366		2,000	
2255 - Rental of Buildings	14,892		17,376							
2510 - In State Travel	233		72				250		250	
2511 - In State Common Carrier Fares	583		373				550		500	
2512 - IS Personal Travel Per Diem	2,351		1,863				1,000		750	
2513 - IS Personal Vehicle Reimbursement	382		936				350		350	
2514 - State Owned Aircraft		5	215				300		300	
2530 - Out of State Travel			214				1,400		1,000	
2531 - OS Common Carrier Fares			1,286				2,500		1,500	
2532 - OS Personal Travel Per Diem	709		2,551				3,200		2,500	
2630 - Telephone	2,820		3,426				3,500		3,200	
2641 - Other ADP Billings - Purchase Services	6,578		9,832				9,000		8,957	
2660 - Insurance	733		774				1,000		-	
2680 - Contract Printing	1,506		687				30		30	
3115 - DP Supplies	43		21				35		35	
3116 - Purchase/Leased Software			187				35		35	
3120 - Books & Subscriptions			249				250		250	
3121 - Office Supplies	35		9				50		15	
3123 - Postage	1,742		1,441				1,550		1,250	
3128 - Non-Capitalized Equipment	69						-		-	
3132 - Non-Cap. Office/Furn.			252				1,200		1,000	
3140 - Non-Capitalize dIT - PCs	2,343		1,177				20		20	
3143 - Non-Capitalized IT Other			241				1,000		800	
4140 - Dues & Memberships	820		856				450		450	
4220 - Registration Fees	2,280		483							
6224 - Other Furn & Fixtures- Direct Purchase	2,000									
Operating Expense Subtotal:	42,816		46,641				32,036		25,192	
OPERATING EXPENSE TOTAL:	42,816		46,641				32,036		25,192	
General Fund	42,816		46,641				32,036		25,192	
General Funds Exempt										
ROLLFORWARD										
General Fund	4,085									
General Fund	4,085									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law item	Actual FY 07				Actual FY 08				Approp FY 09				Estimate FY 09				Request FY 10			
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE		
SUPPLEMENTAL																				
General Fund - Reduction																				
Potted Operating Expenses																				
Workers' Compensation																				
Leased Vehicle Expense																				
Capital Complex Lease Space																				
Lease Space																				
IT Asset Maintenance																				
ADP Capital Outlay																				
Total																				
General Fund																				
General Fund Exempt																				
Cash Funds																				
Reappropriated Funds																				
FY10 Decision Item Request																				
Dec Item #3 Consolidation of Water Unit																				
General Fund																				
Cash Funds Exempt																				
TOTAL FED & INTERSTATE WATER UNIT																				
General Fund	477,576	4.9	515,142	4.6	515,142	4.6	505,555	5.5	505,555	5.5	578,565	5.5	578,565	5.5	398,329	4.0	398,329	4.0	925,201	
	477,576		515,142		515,142		505,555		505,555		578,565		578,565		398,329		398,329		925,201	
RECONCILIATION OF FUNDS																				
Long Bill Appropriation	422,445	5.0	482,426	5.5	482,426	5.5														
Supplemental HB08-1290			(45,000)	(0.9)	(45,000)	(0.9)														
Salary POTS	28,774		24,411		24,411															
Health/Life/Dental	17,662		23,438		23,438															
Short Term Disability	428		484		484															
SB 04.257 A.E.D.	2,803		4,731		4,731															
SB 06.235 S.A.E.D.			821		821															
Worker's Compensation	819		796		796															
Capital Complex Lease Space	14,896		17,376		17,376															
Lease Space																				
IT Asset Maintenance																				
ADP Capital Outlay Allocation			6,725		6,725															

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law	Item	FEDERAL & INTERSTATE WATER UNIT											
		Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10		FTE	
		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
	Rollforward from Previous FY	6,030											
	Rollforward to Subsequent FY												
	Overexpenditures (Reversions) General Fund	(16,281)	(0.1)	(1,066)									
	Lapsed Appropriation Cash Fund	477,576	4.9	515,142	4.6			578,565	5.5				
	TOTAL RECONCILIATION												
	GRAND TOTAL	477,576	4.9	515,142	4.6	505,555	5.5	578,565	5.5	925,201	9.5	925,201	
	General Fund	477,576		515,142		505,555		578,565		925,201		925,201	
	General Fund Exempt												
	Cash Funds												
	Reappropriated Funds												
	Federal Funds												

3

3

3

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law item	Fund Number	FEDERAL & INTERSTATE WATER UNIT				
		Actual FY 2007	Actual FY 2008	Approp FY 2009	Estimate FY 2009	Request FY 2010
Schedule 3 Total		477,576	515,142	505,555	578,565	925,201
General Funds		477,576	515,142	505,555	578,565	925,201
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-
Cash Funds		-	-	-	-	-
Reappropriated Funds		-	-	-	-	-

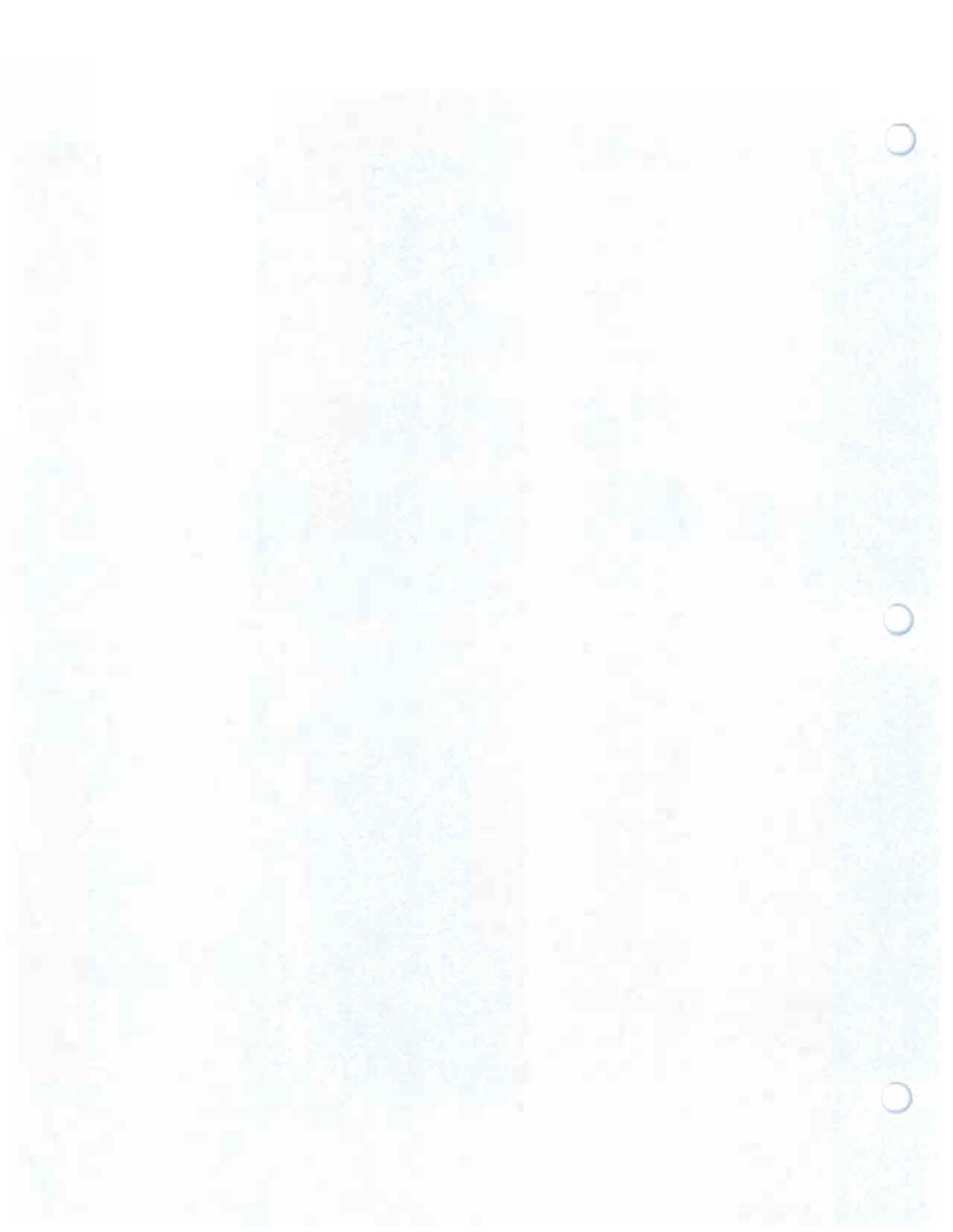
(

(

(

FY 09-10
Budget
Schedules 2, 3 and 4
NR & WR - Arkansas River Litigation





SCHEDULE 2 - PROGRAM SUMMARY

Department of Law	DEFENSE OF THE ARKANSAS RIVER COMPACT											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Defense of the Arkansas River Compact	116,339	-	-	-	-	-	-	-	-	-	-	-
General Fund	45,006	-	-	-	-	-	-	-	-	-	-	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Cash Funds Exempt	71,333	-	-	-	-	-	-	-	-	-	-	-

SCHEDULE 3 - PROGRAM DETAIL

Department of Law	DEFENSE OF THE ARKANSAS RIVER COMPACT											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Defense of the Arkansas River Compact	116,339	-	-	-	-	-	-	-	-	-	-	-
General Fund	45,006	-	-	-	-	-	-	-	-	-	-	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Cash Funds Exempt	71,333	-	-	-	-	-	-	-	-	-	-	-
Rollforwards												
General Fund												
General Funds Exempt												
Defense of the Arkansas River Compact	116,339	-	-	-	-	-	-	-	-	-	-	-
General Fund	45,006	-	-	-	-	-	-	-	-	-	-	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Cash Funds Exempt	71,333	-	-	-	-	-	-	-	-	-	-	-
RECONCILIATION OF FUNDS												
Long Bill Appropriation	140,000											
Supplemental												
Rollforward from Previous FY	-											
Rollforward to Subsequent FY	(23,661)											
Reversion	-											
Lapsed Appropriation Cash Fund Exempt												
TOTAL RECONCILIATION	116,339											

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law	DEFENSE OF THE ARKANSAS RIVER COMPACT				
	Actual FY 07 Total Funds	Actual FY 08 Total Funds	Approp. FY 09 Total Funds	Estimate FY 09 Total Funds	Request FY 10 Total Funds
Schedule 3 Total	116,339	-	-	-	-
General Fund	45,006	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Fund Exempt	71,333	-	-	-	-
Cash Funds Exempt	71,333	-	-	-	-
Attorneys Fees and Cost Fund	-	-	-	-	-

**FY 09-10 Budget
Schedules 2,3 and 4
Defense of the Colorado
River Compact**





SCHEDULE 2 - PROGRAM SUMMARY

Department of Law		DEFENSE OF THE COLORADO RIVER COMPACT									
		Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	
DEFENSE OF THE COLORADO RIVER COMPACT											
General Fund	359,106	3.9	376,116	3.8	545,000	4.0	636,462	4.0	(0)	0.0	
General Fund Exempt	-		-		-		-		-		
Cash Funds	-		-		-		636,462		-		
Reappropriated Funds	359,106		376,116		-		-		-		

(1)

(1)

(1)

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

DEFENSE OF THE COLORADO RIVER COMPACT

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	-	1.0	584	0.0	-	0.0	-	0.0	-	0.0
Assistant Attorney General II	81,923	1.9	-	-	-	3.0	-	3.0	-	3.0
Assistant Attorney General I	123,277	1.0	178,609	2.8	209,904	1.0	209,904	1.0	209,904	1.0
Legal Assistant II	60,204	3.9	62,904	3.8	66,132	4.0	66,132	4.0	66,132	4.0
TOTAL POSITION DETAIL	265,404	3.9	242,097	3.8	276,036	4.0	276,036	4.0	276,036	4.0
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position Continuation Salary Subtotal	265,404	3.9	242,097	3.8	276,036	4.0	276,036	4.0	276,036	4.0
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	26,671		24,343		28,018		28,018		28,018	
Medicare on Continuation Subtotal	2,955		2,593		4,003		4,003		4,003	
Non-Base Building Performance Awards	-		-		671		671		2,500	
Part-Time/Temporary Salaries	-		-		2,000		2,000		225,102	
Contractual Services	30,211		67,131		125,000		125,000			
Leave	-		-		-		-		-	
Overtime	-		584		584		584		259,622	
Other	59,837		94,651		159,691		159,691			
SUBTOTAL	325,241	3.9	336,748	3.8	435,727	4.0	435,727	4.0	535,658	4.0
(I.C.) PERSONAL SERVICES SUBTOTAL=A+B										
(I.D.) POTS EXPENDITURES										
Health/Life Dental	7,216		6,411		9,113		9,113			
Salary Survey	-		[10,978]		[11,994]		[11,994]			
Performance Awards	-		[2,847]		[4,190]		[4,190]			
Short Term Disability	300		315		352		352			
SB 04.257 A.E.D.	1,980		2,907		3,921		3,921			
SB 06.235 S.A.E.D.	-		636		1,918		1,918			
Other	850		806							

[] Indicates a Non-add

SCHEDULE 3 - PROGRAM DETAIL

Department of Law Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.E.) BASE PERSONAL SERVICES TOTAL=										
C+D	335,587	3.9	347,823	3.8			451,031	4.0	535,658	4.0
(I.F.) DIFFERENCE= III-I.E									(0)	
(I.G.) REQUEST YEAR DECISION ITEMS										
General Fund										
Cash Funds										
Reappropriated Funds										
II. PERSONAL SERVICES REQUEST										
(AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)										
Previous Year Long Bill									520,312	4.0
Salary Survey-Classified									2,866	
PBP - Classified									818	
Salary Survey Exempt									9,128	
PBP - Exempt									2,534	
OSPB .2% Base Reduction										
SPECIAL BILLS:										
Subtotal -									535,658	
II. PERSONAL SERVICES REQUEST TOTAL	335,587	3.9	347,823	3.8			451,031	4.0	535,658	4.0
General Fund									15,346	
Cash Funds									520,312	
Reappropriated Funds	335,587		347,823				451,031			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

DEFENSE OF THE COLORADO RIVER COMPACT

Department of Law

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation	466		535				101,329		-	
2255 - Rental of Buildings	-		12,638				-		-	
2512 - IS Personal Travel Per Diem	272		1,437				2,272		2,833	
2513 - IS Personal Vehicle Reimbursement	-		176				250		250	
2530 - Out of State Travel	551		71				500		500	
2531 - OS Common Carrier Fares	2,791		2,326				3,500		3,500	
2532 - OS Personal Travel Per Diem	2,244		1,054				4,000		4,000	
2630 - Telephone	559		511				700		700	
2641 - Other ADP Billings - Purchase Service	13,129		2,479				4,000		4,000	
2660 - Insurance	-		570				570		570	
2680 - Contract Printing	2		3				100		100	
3115 - DP Supplies	23		30				30		30	
3116 - Purchase/Leased Software	597		2,572				3,000		3,000	
3120 - Books & Subscriptions	-		83				150		150	
3121 - Office Supplies	284		77				250		250	
3123 - Postage	21						50		50	
3128 - Noncapitalizeds Equipment	69						55		55	
3140 - Noncapitalized IT - PCs	1,333		2,501				2,700		2,700	
3143 - Non-Capitalized IT Other	1,177		241				1,000		999	
4140 - Dues & Memberships	-		990				1,000		1,000	
Operating Expense Subtotal:	23,519		28,293				125,456		24,687	
OPERATING EXPENSE TOTAL:			28,293				125,456		24,687	
General Fund										
Cash Funds										
Reappropriated Funds	23,519		28,293				125,456		24,687	
ROLLFORWARD										
Cash Funds										
Allocated Operating POTS										
Workers' Compensation										
Leased Vehicle Expense							673			
Capital Complex Lease Space										
IT Asset Maintenance										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

DEFENSE OF THE COLORADO RIVER COMPACT

Department of Law item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Communication Service Payments										
ADP Capital Outlay										
Total										
Cash Funds					9,963		9,963			
Reappropriated Funds										
FY10 Decision Item Request										
Dec Item #3 Consolidation of Water Unit										
General Fund									(560,346)	(4.0)
Cash Funds									(15,346)	
									(545,000)	
TOTAL COLORADO RIVER LITIGATION										
General Fund	359,106	3.9	376,116	3.8	545,000	4.0	636,462	4.0	(0)	0.0
General Fund Exempt										
Cash Funds					545,000		636,462		(0)	
Reappropriated Funds	359,106		376,116							
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	758,880	4.0	758,880	4.0			545,000	4.0		
Special Bills										
<i>Supplemental HB06-1222</i>										
Salary POTS			13,847				16,184			
Health/Life/Dental			11,275				9,113			
Short Term Disability			350				352			
SB 04.257 A.E.D			3,412				3,921			
SB 06.235 S.A.E.D.			592				1,918			
Worker's Compensation			550				673			
Capital Complex Lease Space			12,638				8,569			
Vehicle Lease Allocation										
IT Asset Maintenance										
Office Suite Upgrade							721			
Storage Lease Space										
ADP Capital Outlay Allocation										
Communication Service Payments										
ALJ Allocation										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law Item		DEFENSE OF THE COLORADO RIVER COMPACT											
		Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE		
Rollforward to Subsequent FY				(50,011)				50,011					
Overexpenditure/(Reversion)		-											
Lapsed Appropriation Cash Fund		(399,774)		(375,417)	(0.2)								
Lapsed Appropriation Reappropriated Funds		359,106	4.0	376,116	3.8			636,462	4.0				
TOTAL RECONCILIATION		359,106	3.9	376,116	3.8	545,000	4.0	636,462	4.0	(0)	0.0		
GRAND TOTAL													
General Fund		-		-		-		-		-			
Cash Funds		-		-		545,000		636,462		(0)			
Reappropriated Funds		359,106		376,116		-		-		-			

(1)

(1)

(1)

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law Item	Fund Number	DEFENSE OF THE COLORADO RIVER COMPACT				
		Actual FY 2007	Actual FY 2008	Approp FY 2009	Estimate FY 2009	Request FY 2010
Schedule 3 Total		359,106	376,116	545,000	636,462	(0)
General Funds		-	-	-	-	-
General Funds Exempt		-	-	-	-	-
Cash Funds		-	-	545,000	636,462	(0)
Reappropriated Funds		359,106	376,116	-	-	-
Cash Funds		-	-	545,000	636,462	(0)
Water Conservation Board Litigation Fund		-	-	-	-	-
Reappropriated Funds		359,106	376,116	-	-	-
Water Conservation Board Litigation Fund		-	-	-	-	-

5

5

5

FY 09-10
Budget
Schedules 2, 3 and 4
NR & WR - Defense of the Republican
River Compact





SCHEDULE 2 - PROGRAM SUMMARY

Department of Law Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
DEFENSE OF THE REPUBLICAN RIVER COMPACT	-	-	23,500	-	110,000	-	197,356	-	110,000	-
General Fund	-	-	-	-	-	-	-	-	-	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-
Cash Funds	-	-	-	-	110,000	-	197,356	-	110,000	-
Reappropriated Cash Funds	-	-	23,500	-	-	-	-	-	-	-

6

6

6

SCHEDULE 3 - PROGRAM DETAIL

Department of Law Item	DEFENSE OF THE REPUBLICAN RIVER COMPACT											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Personal Services												
Part-Time/Temporary Salaries												
Professional Contractual Services												
Purchased Services- Professional												
Termination/Retirement Payouts												
Overtime Wages												
Other:												
Vacancy Savings												
Subtotal:			22,645		108,450		108,450		110,000		110,000	
Total Personal Services Continuation			22,645	-	108,450	-	108,450	-	110,000	-	110,000	-
PERSONAL SERVICES TOTAL			22,645	-	108,450	-	108,450	-	110,000	-	110,000	-
General Fund			-									
General Fund Exempt			-									
Cash Funds			-									
Reappropriated Cash Funds			22,645									

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation	-		366				750			
2512 - IS Personal Travel Per Diem	-									
2513 - IS Personal Vehicle Reimbursement										
2520 - IS Travel/Non Employee										
2523 - IS/Non-Emp - Pers Veh Reimb										
2530 - Out of State Travel			12				100			
2531 - OS Common Carrier Fares			242				350			
2532 - OS Personal Travel Per Diem			230				300			
2630 - Telephone										
2631 - Comm Svcs from Outside Sources										
2680 - Contract Printing										
3123 - Postage			5				50			
Operating Expense Subtotal:			855				1,550			
OPERATING EXPENSE TOTAL:			855				1,550			
General Fund			-				-			
General Funds Exempt			-				-			
Cash Funds			-				1,550			
Reappropriated Cash Funds			855				-			
Potted Operating Expenses										
Workers' Compensation										
Leased Vehicle Expense										
Capital Complex Lease Space										
IT Asset Maintenance										
ADP Capital Outlay										
Total										
General Fund			-				-			
Rollforward										
Cash Funds							87,356			
Reappropriated Cash Funds							87,356			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law	Item	DEFENSE OF THE REPUBLICAN RIVER COMPACT									
		Actual FY 07		Actual FY 08		Approp. FY 09		Estimate FY 09		Request FY 10	
		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
TOTAL DEFENSE OF THE REPUBLICAN RIVER COMPACT											
	General Fund	-	-	110,856	-	110,000	-	197,356	-	110,000	-
	General Fund Exempt	-	-	-	-	-	-	-	-	-	-
	Cash Funds	-	-	-	-	110,000	-	197,356	-	110,000	-
	Reappropriated Cash Funds	-	-	23,500	-	-	-	-	-	-	-
RECONCILIATION OF FUNDS											
	Long Bill Appropriation	-	-	-	-	-	-	-	-	-	-
	Special Bills	-	-	-	-	-	-	-	-	-	-
	<i>Supplemental HB 08-1290</i>	-	-	130,000	-	-	-	110,000	-	-	-
	Salary POTS	-	-	-	-	-	-	-	-	-	-
	Health/Life/Dental	-	-	-	-	-	-	-	-	-	-
	Short Term Disability	-	-	-	-	-	-	-	-	-	-
	Worker's Compensation	-	-	-	-	-	-	-	-	-	-
	Capital Complex Leased Space Allocation	-	-	-	-	-	-	-	-	-	-
	Vehicle Lease Allocation	-	-	-	-	-	-	-	-	-	-
	IT Asset Maintenance	-	-	-	-	-	-	-	-	-	-
	ADP Capital Outlay Allocation	-	-	-	-	-	-	-	-	-	-
	Rollforward to Subsequent FY	-	-	(87,356)	-	-	-	87,356	-	-	-
	Rollforward from Previous FY	-	-	-	-	-	-	-	-	-	-
	Overexpenditure/(Reversion)	-	-	(19,144)	-	-	-	197,356	-	-	-
	Lapsed Appropriation Reappropriate Cash Funds	-	-	23,500	-	-	-	-	-	-	-
	Total	-	-	23,500	0.0	110,000	0.0	197,356	0.0	110,000	0.0
GRAND TOTAL											
	General Fund	-	-	23,500	0.0	110,000	0.0	197,356	0.0	110,000	0.0
	General Fund Exempt	-	-	-	-	-	-	-	-	-	-
	Cash Funds	-	-	-	-	110,000	-	197,356	-	110,000	-
	Reappropriated Cash Funds	-	-	23,500	-	-	-	-	-	-	-
	Federal Funds	-	-	-	-	-	-	-	-	-	-

(1)

(2)

(3)

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law		DEFENSE OF THE REPUBLICAN RIVER COMPACT					
Item	Fund Number	Actual FY 2007	Actual FY 2008	Approp FY 2009	Estimate FY 2009	Request FY 2010	
Schedule 3 Total		-	23,500	110,000	197,356	110,000	
General Funds		-	-	-	-	-	
General Funds Exempt		-	-	-	-	-	
Cash Funds		-	-	110,000	197,356	110,000	
Reappropriated Cash Funds		-	23,500	-	-	-	
Cash Fund							
Colorado Water Conservation Board				110,000	197,356	110,000	
Cash Funds Exempt							
Colorado Water Conservation Board		-	23,500	-	-	-	

5

5

5

FY 09-10
Budget
Schedules 2, 3 and 4
NR & WR - Consultant Expense



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law	CONSULTANT EXPENSE											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE												
General Fund	-	-	36,733	-	50,000	-	120,000	-	50,000	-	50,000	-
General Fund Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Cash Funds	-	-	-	-	50,000	-	120,000	-	50,000	-	50,000	-
Reappropriated Funds	-	-	36,733	-	-	-	-	-	-	-	-	-

SCHEDULE 3 - PROGRAM DETAIL

Department of Law	CONSULTANT EXPENSE											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CONSULTANT EXPENSE TOTAL												
General Fund	-	-	36,733	-	50,000	-	120,000	-	50,000	-	50,000	-
General Fund Exempt	-	-	-	-	50,000	-	120,000	-	50,000	-	50,000	-
Cash Funds	-	-	36,733	-	-	-	-	-	-	-	-	-
Reappropriated Funds	-	-	-	-	-	-	-	-	-	-	-	-
RECONCILIATION OF FUNDS												
Long Bill Appropriation					50,000		50,000					
Supplemental 1331					20,000		70,000					
Rollforward from Previous FY												
Rollforward to Subsequent FY												
Overexpenditure/(Reversion)					(20,000)		-					
Lapsed Appropriation Reappropriated Funds					(13,266)		-					
TOTAL RECONCILIATION					36,734		120,000		50,000		120,000	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law Item	CONSULTANT EXPENSE				
	Actual FY 07 Total Funds	Actual FY 08 Total Funds	Approp. FY 09 Total Funds	Estimate FY 09 Total Funds	Request FY 10 Total Funds
Schedule 3 Total	-	36,733	50,000	120,000	50,000
General Fund	-	-	-	-	-
General Fund Exempt	-	-	-	-	-
Cash Funds	-	-	50,000	120,000	50,000
Reappropriated Funds	-	36,733	-	-	-
Cash Funds	-	-	50,000	120,000	50,000
Attorneys Fees and Costs	-	-	-	-	-
Reappropriated Funds	-	36,733	-	-	-
Attorneys Fees and Costs	-	-	-	-	-

FY 09-10
Budget
Schedules 2, 3 and 4
NR & WR - CERCLA





100



1

100



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law	Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
		Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA		498,507	4.8	483,107	4.8	472,021	4.8	535,788	4.8	491,784	4.8
	General Fund	438,458		437,951		446,143		484,548		465,906	
	General Fund Exempt	15,359		488		-		25,362		-	
	Cash Funds	-		-		-		-		-	
	Reappropriated Funds	44,690		44,667		25,878		25,878		25,878	
	Federal Funds										

(3)

(3)

SCHEDULE 3 - PROGRAM DETAIL

Department of Law

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Assistant Attorney General	80,511	1.0	92,792	1.0			104,205	1.2	104,205	1.2
Assistant Attorney General II	87,393	1.5	98,625	1.5			108,432	1.5	108,432	1.5
Assistant Attorney General I	78,782	1.0	89,796	1.0			94,404	1.0	94,404	1.0
General Professional V	72,802	1.3	82,976	1.3			82,976	1.1	82,976	1.1
Legal Assistant II										
TOTAL POSITION DETAIL	319,487	4.8	364,189	4.8			390,017	4.8	390,017	4.8
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by Position)										
Continuation Salary Subtotal	319,487	4.8					390,017	4.8	390,017	4.8
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	33,993		36,661				39,587		39,587	
Medicare on Continuation Subtotal	3,027		3,214				5,655		5,655	
Non-Base Building Performance Awards			1,796				947			
Part-Time/Temporary Salaries										
Contractual Services	66,271		15,867				5,727		34,445	
Leave			424							
Other										
SUBTOTAL	103,291		57,963				51,916		79,687	
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	422,778	4.8	422,152	4.8			441,933	4.8	469,704	4.8
(I.D.) POTS EXPENDITURES										
Health/Life Dental	16,308		18,997				22,120			
Salary Survey	[7,421]		[15,164]				[15,026]			
Performance Awards			[6,070]				[5,922]			
Short Term Disability	401		469				415			
SB 04.257 A.E.D.	2,387		4,181				5,620			
SB 06.235 S.A.E.D.			746				2,709			
Other	386		512							
[] Indicates a Non-add										

SCHEDULE 3 - OPERA I G PROGRAM DETAIL

Department of Law Item	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT									
	Actual FY 07 Total Funds	FTE	Actual FY 08 Total Funds	FTE	Approp. FY 09 Total Funds	FTE	Estimate FY 09 Total Funds	FTE	Request FY 10 Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation	4,015		2,177				4,679		4,679	
2220 - Building Grounds Maintenance			350				350		350	
2231 - ADP Equip Maint/Repair Services	15,034		15,332							
2255 - Rental of Buildings	538		374				400		400	
2512 - IS Personal Travel Per Diem	63		69				200		200	
2513 - IS Personal Vehicle Reimbursement	8		168				250		250	
2530 - Out of State Travel	-		1,093				1,500		1,500	
2531 - OS Common Carrier Fares	25		397				400		400	
2532 - OS Personal Travel Per Diem	2,126		3,111				4,700		4,700	
2630 - Telephone			45				45		45	
2631 - Comm Svcs from Outside Sources	2,421		5,061				5,500		1,906	
2641 - Other ADP Billings - Purchase Services	703		668							
2660 - Insurance	561		477				500		500	
2680 - Contract Printing	1,402		2,170				2,400		2,400	
3115 - DP Supplies	2,100		2,572				3,100		3,100	
3120 - Books & Subscriptions	968		136				200		200	
3121 - Office Supplies	434		217				250		250	
3123 - Postage	69									
3128 - Non-Capitalized Equipment	1,179									
3132 - Non-Capitalized Furn/Office Syst	4,687									
3140 - Non-Capitalized IT PC's	368		397							
3143 - Non-Capitalized IT - Other	788		747				1,200		1,200	
4140 - Dues & Memberships	400									
4220 - Registration Fees	3,000									
6224 - Other Furn & Fixtures- Direct Purchase	40,888		35,562				25,674		22,080	
Operating Expense Subtotal:	40,888		35,562				25,674		22,080	
OPERATING EXPENSE TOTAL:	40,888		35,562				25,674		22,080	
General Fund	40,888		35,562				25,674		22,080	
Cash Funds										
Reappropriated Funds										
ROLLFORWARD										
General Fund			25,362							
Reappropriated Funds			4,819							
			20,543							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law Item	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT									
	Actual FY 07 Total Funds	FTE	Actual FY 08 Total Funds	FTE	Approp FY 09 Total Funds	FTE	Estimate FY 09 Total Funds	FTE	Request FY 10 Total Funds	FTE
Potted Operating Expenses										
Workers' Compensation							808			
Leased Vehicle Expense							10,283			
Capital Complex Lease Space							864			
Lease Space										
IT Asset Maintenance										
ADP Capital Outlay										
Total							11,955			
General Fund							11,955			
Reappropriated Funds							-			
							25,362			
							25,362			
Rollforward										
General Fund Exempt										
	15,359	4.8	488	4.8	472,021	4.8	535,788	4.8	491,784	4.8
TOTAL CERCLA	498,507	4.8	483,107	4.8	472,021	4.8	535,788	4.8	491,784	4.8
General Fund	438,458		437,951		446,143		484,548		465,906	
General Fund Exempt	15,359		488				25,362			
Cash Funds										
Reappropriated Funds	44,690		44,667		25,878		25,878		25,878	
Federal Funds										
RECONCILIATION OF FUNDS										
Long Bill Appropriation	439,286	4.8	452,001	4.8			472,021	4.8		
Salary POTS	7,424		21,234				20,948			
Health/Life/Dental	17,840		18,798				22,120			
Short Term Disability	400		453				415			
SB 04.257 A.E.D.	2,722		4,415				5,620			
SB 06.235 S.A.E.D.							2,709			
Worker's Compensation	786		661				808			
Capital Complex Lease Space	14,301		15,167				10,283			
Lease Space	877						-			
Vehicle Lease Allocation							-			
IT Asset Maintenance							864			
Building Wiring & Security Upgrades										
ADP Capital Outlay Allocation										
Rollforward from Previous FY	15,359		488							
Rollforward to Subsequent FY	(488)		(25,362)							

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law Item	COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT									
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Overexpenditure/(Reversion)- General Fund			(4,747)							
Lapsed Appropriation Cash Fund Exempt										
Lapsed Appropriation Federal Funds	498,506	4.8	483,107	4.8			535,788	4.8		
TOTAL RECONCILIATION										
GRAND TOTAL										
General Fund	498,507	4.8	483,107	4.8	472,021	4.8	535,788	4.8	491,784	4.8
General Fund Exempt	438,458		437,951		446,143		484,548		465,906	
Cash Funds	15,359		488		-		25,362		-	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	44,690		44,667		25,878		25,878		25,878	

(1)

(2)

(3)

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2007	FY 2008	FY 2009	FY 2009	FY 2010
Schedule 3 Total						
General Funds		498,507	483,107	472,021	535,788	491,784
General Funds Exempt		438,458	437,951	446,143	484,548	465,906
Cash Funds		15,359	488	-	25,362	-
Reappropriated Funds		-	-	-	-	-
Federal Funds		44,690	44,667	25,878	25,878	25,878
Reappropriated Funds						
Hazardous Substance Response Fund		44,690	44,667	25,878	25,878	25,878

FY 09-10
Budget
Schedules 2, 3 and 4
CERCLA Contracts



SCHEDULE 2 - PROGRAM SUMMARY

Department of Law	COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS	648,285	-	542,307	-	600,000	-	659,179	-	600,000	-	600,000	-
General Fund	173,513		115,822		175,000		175,000		175,000		175,000	
General Fund Exempt	49,772		1,485				59,179					
Reappropriated Funds	425,000		425,000		425,000		425,000		425,000		425,000	

SCHEDULE 3 - PROGRAM DETAIL

Department of Law	COMPREHENSIVE ENVIRON RESPONSE COMPEN & LIAB ACT CONTRACTS											
	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10			
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
CERCLA CONTRACTS	598,513		540,823				600,000		600,000		600,000	
1920 - Purchased Services - Professional												
Rollforward	49,772		1,485		-		59,179					
General Fund Exempt	49,772		1,485		-		59,179					
Reappropriated Funds												
CERCLA CONTRACTS TOTAL	648,285		542,307		600,000		659,179		600,000		600,000	
General Fund	173,513		115,822		175,000		175,000		175,000		175,000	
General Fund Exempt	49,772		1,485		-		59,179					
Reappropriated Funds	425,000		425,000		425,000		425,000		425,000		425,000	
RECONCILIATION OF FUNDS												
Long Bill Appropriation	600,000		600,000				600,000		600,000		600,000	
Rollforward from previous FY	49,772		1,485				59,179		59,179		59,179	
Rollforward to Subsequent FY	(1,486)		(59,179)				-		-		-	
Reversion			(2)									
TOTAL RECONCILIATION	648,286		542,304				659,179		600,000		600,000	

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law Item	Actual FY 07	Actual FY 08	Approp FY 09	Estimate FY 09	Request FY 10
	Total Funds	Total Funds	Total Funds	Total Funds	Total Funds
Schedule 3 Total	648,285	542,307	600,000	659,179	600,000
General Fund		115,822	175,000	175,000	175,000
General Fund Exempt		1,485	-	59,179	
Reappropriated Funds	648,285	425,000	425,000	425,000	425,000
Cash Funds					
Reappropriated Funds					
Hazardous Substance Response Fund	648,285	425,000	425,000	425,000	425,000

FY 09-10
Budget
Schedules 2,3 and 4
Natural Resource
Damage Claims at
Rocky MTN Arsenal



1. Introduction

2. Methodology

3. Results

4. Discussion

5. Conclusion

6. References

7. Appendix

8. Acknowledgements

9. Author Biographies

10. Contact Information

SCHEDULE 2 - PROGRAM SUMMARY

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
NATURAL RESOURCE DAMAGE	565,915	1.9	928,307	1.9	1,212,924	2.4	2,381,954	2.4	195,000	0.0
CLAIMS AT ROCKY MOUNTAIN ARSENAL										
General Fund	565,915		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		928,307		1,212,924		2,381,954		195,000	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	-		-		-		-		-	



SCHEDULE 3 - PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
Senior Assistant Attorney General	47,294	0.9	61,832	1.0			61,832	1.0	61,832	1.4
Assistant Attorney General I	89,480	1.0	99,504	0.9			99,504	0.9	99,504	1.0
Assistant Attorney General II										
TOTAL POSITION DETAIL	136,774	1.9	161,336	1.9			161,336	1.9	161,336	2.4
(I.A.) CONTINUATION FTE SALARY COSTS										
(Permanent FTE by position)										
Continuation Salary Subtotal										
(I.B.) OTHER PERSONAL SERVICES										
PERA on Continuation Subtotal	13,723		18,362				16,376		16,376	
Medicare on Continuation Subtotal	1,979		2,611				2,339		2,339	
Non-Base Building Performance Awards										
Part-Time/Temporary Salaries			17,569				18,000		-	
Contractual	394,837		553,531				955,675		1,029,176	
Other			227							
SUBTOTAL	410,539		592,300				992,390		1,047,891	
(I.C.) PERSONAL SERVICES SUBTOTAL=										
A+B	547,313	1.9	753,636	1.9			1,153,726		1,209,227	
(I.D.) POTS EXPENDITURES										
Health/Life Dental			7,994				9,113			
Salary Survey			[7,674]				[9,994]			
Performance Awards			[1,760]				[4,190]			
Short Term Disability			224				352			
SB 04.257 A.E.D.	155		2,143				3,921			
SB 06.235 S.A.E.D.	1,000		433				1,918			
Other			428							
[] Indicates a Non-add										
(I.E.) BASE PERSONAL SERVICES TOTAL=	554,292	1.9	764,858	1.9			1,169,030		1,209,227	2.4
C+D										

SCHEDULE 3 - PROGRAM DETAIL

Department of Law		ROCKY MOUNTAIN ARSENAL									
		Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
item:	(I.F.) DIFFERENCE= II- I.E.	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
(I.G.) REQUEST YEAR DECISION ITEMS											
General Fund											
Cash Funds											
Reappropriated Funds											
II. PERSONAL SERVICES REQUEST (AGGREGATE ADJUSTMENTS TO THE BASE APPROPRIATION)											
Previous Year Long Bill											
Salary Survey-Classified											
PBP - Classified											
Salary Survey Exempt											
PBP - Exempt											
OSPB .2% Base Reduction											
SPECIAL BILLS:											
Subtotal		554,292	1.9	764,858	1.9	1,169,030		1,209,227		1,209,227	2.4
II. PERSONAL SERVICES REQUEST TOTAL											
General Fund		554,292		764,858		1,169,030		1,209,227		1,209,227	
Cash Funds											
Reappropriated Funds											
Federal Funds											



SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
OPERATING EXPENSES										
1930 - Litigation	2,471		2,491				72,000		3,697	
2255 - Rental of Buildings			6,319							
2630 - Telephone	112						200			
2631 - Comm Svcs from Outside Sources			3				100			
2641 - Other ADP Billings - Purchase Services	2,656		17				2,984			
2660 - Insurance			245				245			
2680 - Contract Printing	3		3				50			
3116 - Purchase/Leased Software	389									
3120 - Books & Subscriptions	73									
3121 - Office Supplies	3									
3123 - Postage	55		23				100			
3140 - Non-Capitalized IT- PC's	4,701									
3143 - Non-Capitalized IT - Other	1,160		245				245			
4140 - Dues & Memberships										
Operating Expense Subtotal:	11,623		9,345				75,924		3,697	
OPERATING EXPENSE TOTAL:	11,623		9,345				75,924		3,697	
General Fund	11,623									
Cash Funds			9,345				75,924		3,697	
Reappropriated Funds										
ROLLFORWARD										
General Fund			154,104				1,137,000			
Cash Funds							1,137,000			
Allocated Operating POTS										
Workers' Compensation							673			
Leased Space Allocation							8,569			
IT Asset Maintenance							721			
ADP Capital Outlay										
Total							9,963			
General Fund							9,963			
Cash Fund										
Reappropriated Funds										

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law		ROCKY MOUNTAIN ARSENAL									
		Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
Item	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	
Decision Item/Budget Amendment											
FY 10 BRI#01									(1,017,924)	(2.4)	
Cash Funds									(1,017,924)		
Special Bill HB 07-1357 Litigation Cost											
General Fund			(2,061,667)								
Cash Funds			2,061,667								
TOTAL ROCKY MOUNTAIN ARSENAL	565,915	1.9	928,307	1.9	1,212,924	2.4	2,381,954	2.4	195,000	0.0	
General Fund	565,915		928,307		1,212,924		2,381,954		195,000		
Cash Funds											
Reappropriated Funds											
Federal Funds											
RECONCILIATION OF FUNDS											
Long Bill Appropriation	742,312	2.0	2,661,667	2.0			1,212,924	2.4		2.4	
<i>Supplemental</i>								0.0			
Salary POTS			9,434				6,763				
Health/Life/Dental			7,452				9,113				
Short Term Disability			199				352				
SB 04.257 A.E.D.			1,943				3,921				
SB 06.235 S.A.E.D.			337				1,918				
Capital Complex Lease Space			6,319				8,569				
Workers Compensation			276				673				
Vehicle Lease Allocation											
IT Asset Maintenance											
ADP Capital Outlay Allocation											
Rollforward from Previous FY			162,981						1,137,000		
Rollforward to Subsequent FY	(162,981)		(1,137,000)								
Restriction											
Overexpenditure/(Reversion)	(13,416)	(0.1)	(785,296)	(0.1)							
Lapsed Appropriation Cash Funds											
Lapsed Appropriation Federal Funds											
TOTAL RECONCILIATION	565,915	1.9	928,307	1.9			2,381,954	2.4			

SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

ROCKY MOUNTAIN ARSENAL

Item	Actual FY 07		Actual FY 08		Approp FY 09		Estimate FY 09		Request FY 10	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
GRAND TOTAL	565,915	1.9	928,307	1.9	1,212,924	2.4	2,381,954	2.4	195,000	0.0
General Fund	565,915		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	-		928,307		1,212,924		2,381,954		195,000	
Reappropriated Funds	-		-		-		-		-	
Federal Funds	-		-		-		-		-	

3

3

3

SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

Department of Law		ROCKY MOUNTAIN ARSENAL					
Item	Fund Number	Actual FY 2007	Actual FY 2008	Approp FY 2009	Estimate FY 2009	Request FY 2010	
Schedule 3 Total		565,915	928,307	1,212,924	2,381,954	195,000	
General Funds		565,915	-	-	-	-	
General Funds Exempt		-	-	-	-	-	
Cash Funds		-	928,307	1,212,924	2,381,954	195,000	
Reappropriated Funds		-	-	-	-	-	
Federal Funds		-	-	-	-	-	
Cash Funds			928,307	1,212,924	2,381,954	195,000	
CDPHE Hazardous Substance Response Fund							
Reappropriated Funds							
CDPHE Hazardous Substance Response Fund							

