

**Schedule 13
Change Request for FY 2010-11 Budget Request Cycle**

Decision Item FY 2010-11 Base Reduction Item FY 2010-11 Supplemental FY 2009-10 Budget Amendment FY 2010-11

Request Title: Public Access Program Damage and Enhancement Reappropriation

Department: Natural Resources

Dept. Approval by: *Will J. Levine*

Date: 10/13/2009

Priority Number: DI-2

OSP Approval: *Jan 26*

Date: 10-15-09

	Fund	1	2	3	4	5	6	7	8	9	10
		Prior-Year Actual FY 2008-09	Appropriation FY 2009-10	Supplemental Request FY 2009-10	Total Revised Request FY 2009-10	Base Request FY 2010-11	Decision/Base Reduction FY 2010-11	November 1 Request FY 2010-11	Budget Amendment FY 2010-11	Total Revised Request FY 2010-11	Change from Base (Column 5) FY 2011-12
Total of All Line Items	Total	0	0	0	0	0	225,000	225,000	0	225,000	225,000
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE/RF	0	0	0	0	0	225,000	225,000	0	225,000	225,000
	FF	0	0	0	0	0	0	0	0	0	0
(5) State Board of Land Commissioners, Public Access Program Damage and Enhancement Costs	Total	0	0	0	0	0	225,000	225,000	0	225,000	225,000
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	GFE	0	0	0	0	0	0	0	0	0	0
	CF	0	0	0	0	0	0	0	0	0	0
	CFE/RF	0	0	0	0	0	225,000	225,000	0	225,000	225,000
	FF	0	0	0	0	0	0	0	0	0	0

Non-Line Item Request: None

Letternote Revised Text: None

Cash or Federal Fund Name and COFRS Fund Number: Wildlife Cash Fund (#410)

Reappropriated Funds Source, by Department and Line Item: (9) Division of Wildlife, (A) Division Operations, (2) Wildlife Management

Approval by OIT? Yes: No: N/A:

Schedule 13s from Affected Departments:

CHANGE REQUEST for FY 2010-11 BUDGET REQUEST CYCLE

Department:	Natural Resources
Priority Number:	DI-2
Change Request Title:	Public Access Program Damage and Enhancement Reappropriation

SELECT ONE (click on box):

- Decision Item FY 2010-11
- Base Reduction Item FY 2010-11
- Supplemental Request FY 2009-10
- Budget Request Amendment FY 2010-11

SELECT ONE (click on box):

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

This request would provide \$225,000 in reappropriated spending authority to the State Land Board in FY 2010-11 in order to accurately represent Public Access Program expenditures. Currently, expenditures related to the Public Access Program are made thorough, and recorded in, the Division of Wildlife's budget which has created accounting issues. This request would allow these expenditures to be shown in the State Land Board budget. No change to the Division of Wildlife (DOW) budget is required because this accounting adjustment does not represent a budgetary change in total spending from the Wildlife Cash Fund.

Background and Appropriation History:

The Public Access Program has been a very successful program for both the State Land Board and the Division of Wildlife. The program allows state trust lands to be used for public wildlife recreation while at the same time generating additional income for trust beneficiaries.

The State Land Board and the Division of Wildlife created the Public Access Program in 1993 to allow the public to hunt and fish on state trust lands. There are about 550,000

acres of state trust land enrolled in the Public Access Program for which the Division of Wildlife makes a lease payment of about \$900,000 or \$1.63 per acre.

Since 1993, the State Land Board has spent a portion of the Public Access Program lease payment on improving public access to state trust property and paying for property damage caused by hunting and fishing. Approximately 25 percent, or \$225,000, of the Public Access Program lease payment is spent on damage and property enhancement projects.

Projects are recommended by a five-member Public Access Program Enhancement committee made up of representatives of the Division of Wildlife, State Land Board, two state trust land lessees and a wildlife recreationalist. Projects are approved annually by a vote of the Land Commissioners. The State Land Board and Division of Wildlife require annual reporting of expenditures under this program to the State Land Board and the Wildlife Commission by June 30 every year. Project recommendations and approval are determined by the following criteria:

a) Personal Property Damage and Clean up

Repair of personal property of lessees on state trust lands and trash removal and clean up. The validation of the claims is completed on a site by site basis by the agency representatives.

b) Land Damage

Conduct inventory and treatment of noxious weeds (as defined by the State Department of Agriculture), and/or address other undesirable conditions determined to result from or to be exacerbated by the wildlife-related public recreation.

c) Land Enhancement

Conduct natural resource enhancement and/or land management improvement and planning projects on enrolled lands.

d) Other Lands and Uses

Conduct natural resource enhancement and/or land management improvement and planning projects on non-enrolled lands.

From an accounting and budget perspective, the current process creates two issues. One problem is that the State Land Board's Long Bill appropriation does not accurately represent State Land Board expenditures. Also, the current practice does not comply with state accounting practice. The expenditure of funds (e.g. \$225,000) for Public Access Program projects is made by State Land Board employees using the Division of Wildlife's budget. State Land Board staff have access to the Division of Wildlife's appropriation in COFRS which compromises security and does not comply with state accounting practice. The Division of Wildlife cannot make the expenditures on State Land Board's behalf as dispensation of the funds is at the discretion of the State Board of Land Commissioners.

General Description of Request:

This request would create a new line item in the State Land Board's Long Bill of reappropriated funds. The amount requested is \$225,000 or 25 percent of the Public Access Program lease payment. This would not be a change in expenditures, but rather would allow the Long Bill to accurately represent State Land Board expenditures and would eliminate accounting issues.

Consequences if Not Funded:

If this request is not approved, the State Land Board and Division of Wildlife will assume the continuance of the current practice.

However, if these agencies are somehow prohibited from making the property damage or enhancement expenditures, the entire program will be at risk for cancellation or significant reduction. This would mean a loss of revenue for trust beneficiaries and loss of opportunity for public hunting and fishing on state trust land. This could also impact Division of Wildlife's hunting license revenue.

Calculations for Request:

Summary of Request FY 2010-11	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$225,000	\$0	\$0	\$225,000	\$0	0.0
(5) State Board of Land Commissioners, Public Access Program Damage and Enhancement Costs	\$225,000	\$0	\$0	\$225,000	\$0	0.0

Summary of Request FY 2011-12	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$225,000	\$0	\$0	\$225,000	\$0	0.0
(5) State Board of Land Commissioners, Public Access Program Damage and Enhancement Costs	\$225,000	\$0	\$0	\$225,000	\$0	0.0

Cash Funds Projections:

Cash Fund Name	Cash Fund Number	FY 2008-09 Expenditures	FY 2008-09 End of Year Cash Balance	FY 2009-10 End of Year Cash Balance Estimate	FY 2010-11 End of Year Cash Balance Estimate	FY 2011-12 End of Year Cash Balance Estimate
Wildlife Cash Fund	#410	\$113,998,921	\$39,884,751	\$27,256,166	\$26,197,680	\$26,197,680

Assumptions for Calculations:

550,000 acres of state trust land enrolled in the Public Access Program at ~\$1.634 per acre = \$900,000.

25 percent x 900,000 = \$225,000.

Impact on Other Government Agencies:

This program has been in place for more than 15 years and is based on a lease agreement. Therefore, while this request involves the Division of Wildlife, it does not negatively or positively impact its operations or budget. This request brings the existing practice into compliance with current accounting practice.

Cost Benefit Analysis:

This request is meant to fix a technical accounting and budget issue. In this regard, it is important to note that this request does not actually change the cost of the Public Access Program. The program generates nearly \$900,000 for trust beneficiaries of which 25 percent is reinvested into trust assets. The Division of Wildlife benefits from providing more hunting and fishing opportunities to the public which, in turn, generates more license revenue for the Division.

Implementation Schedule:

Task	Month/Year
Start-Up Date	July 2010

Statutory and Federal Authority:

Section 36-1-101.5(6)(c) (2009), C.R.S. It shall be the duty of the state board of land commissioners to provide for the prudent management, location, protection, sale, exchange, or other disposition of all lands heretofore, or which may hereafter be, held by the board as trustee pursuant to subsection (6) of section 9 of article IX of the state constitution, in order to produce a reasonable and consistent income over time. The state board of land commissioners shall protect and enhance the long-term productivity and sound stewardship of the trust lands held by the board.

Performance Measures:

DNR-6. State Land Board Lands

Objective: Maximize revenue on State Land Board properties for the benefit of all trusties

Performance Measure	Outcome	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Approp.	FY 2010-11 Request
Increase revenues to the school trust by 5 percent annually	Benchmark	\$63,321,685	\$66,089,522	\$ 47,697,543	\$ 50,082,420
	Actual	\$69,495,847	\$74,023,629	Unknown	Unknown

DOW-1. Hunting

Objective: Provide hunting recreation opportunities for citizens and visitors to Colorado

Performance Measure	Outcome	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Approp.	FY 2010-11 Request
Number of Licensed Hunters in Colorado (Based on Calendar Year)	Benchmark	305,000	305,000	305,000	305,000
	Actual	304,432	294,186	Unknown	Unknown

DOW-2. Fishing

Objective: Provide fishing recreation opportunities for citizens and visitors to Colorado

Performance Measure	Outcome	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Approp.	FY 2010-11 Request
Number of Licensed Anglers in Colorado (Based on Calendar Year)	Benchmark	685,000	685,000	690,000	690,000
	Actual	681,077	654,721	Unknown	Unknown