

DNR LINE ITEM DESCRIPTIONS & STATUTORY CITATIONS

(1) Executive Director's Office, (A) Administration

Personal Services

The Executive Director's Office (EDO) is broadly responsible for providing leadership and support on public policy, budget, accounting, purchasing, and human resources issues for all divisions in the Department. The EDO Personal Services line item supports 44.3 FTE who provide these department-wide administrative services. This line item is funded entirely through indirect cost recoveries collected from each division in the Department. (*Sections 24-1-105, 24-1-124 and 24-33-101 et seq., C.R.S.*)

Health, Life, and Dental

This line item provides funding for the Department's share of employee insurance benefits based on a predetermined rate for packages selected by employees (e.g., employee only or employee plus child/spouse/family). This appropriation is requested based on the result of the total compensation survey conducted by the Department of Personnel and is allocated from this line item to each division. (*Sections 24-50-611 and 24-50-603 (9), C.R.S.*)

Short-term Disability

The appropriation for this line item funds short-term disability insurance premiums paid by the State to provide for the partial replacement of salary if an employee becomes disabled. The Department's short-term disability request is calculated as 0.17 percent of salaries. (*Sections 24-50-611 and 24-50-603 (13), C.R.S.*)

S.B. 04-257 Amortization Equalization Disbursement

The Amortization Equalization Disbursement (AED) increased the employer contribution to the PERA Trust Fund to amortize unfunded liability in the Fund beginning in January 2006. Pursuant to Section 24-51-411, C.R.S., the AED rate is 5.0 percent of total payroll, calculated using the sum of base salaries, salary survey, and range adjustments. (*Section 24-51-411, C.R.S.*)

S.B. 06-235 Supplemental Amortization Equalization Disbursement

The Supplemental Amortization Equalization Disbursement (SAED) increased the employee's contribution to the PERA Trust Fund to amortize unfunded liability in the Fund beginning January 2008. It is similar to the Amortization Equalization Disbursement (above), but it is paid by employees via foregone salary increases. Like AED, the SAED rate is 5.0 percent of total payroll pursuant to Section 24-51-411, C.R.S., calculated using the sum of base salaries, salary survey, and range adjustments. (*Section 24-51-411, C.R.S.*)

PERA Direct Distribution

The state is required by statute to make a direct distribution to PERA each year to reduce, and eventually eliminate, the unfunded liability in the trust funds for each PERA Division. Beginning in FY 2019-20, all state agencies will be assessed a proportional share of the direct distribution to the State Division of PERA based on gross annual payroll. This appropriation represents the Department's share of the direct distribution to the State Division each year. House Bill 20-1379 suspended the direct distribution to PERA in FY 2020-21 (*Section 24-51-414, C.R.S.*)

Salary Survey

The Salary Survey appropriation covers the cost of salary increases based on the annual job and wage classification survey conducted by the Department of Personnel. There was no appropriation for salary survey in FY 2020-21. (*Section 24-50-104, C.R.S.*)

Merit Pay

The Merit Pay line item provides funding to reward employees for performance and experience. An appropriation for merit pay is not always made each year but, when funding is available, awards are based on each employee's performance ratings and quartile. There was no appropriation for merit pay for FY 2020-21. (*Section 24-50-104 (1)(c), C.R.S.*)

Shift Differential

This line item funds differential pay for employees who work hours outside of the regular work day, e.g., employees who work second or third shifts. For the Department of Natural Resources, these employees typically come from the Colorado Division of Parks and Wildlife. The appropriation and request are based on actual expenditures on shift differential from the previous fiscal year. (*Section 24-50-104 (1)(a), C.R.S.*)

Workers' Compensation

The appropriation for Workers' Compensation represents a statewide allocation to each department based upon historic usage. This line item supports payments made to the Department of Personnel to support the State's self-insured program. The cost basis is developed relative to estimated claim payouts, purchased professional services (actuarial and broker costs), and Common Policy adjustments. The Department of Personnel's actuaries determine departmental allocations and disbursements to each division are based on a rolling three-year average of the percentage of claims each division generates. (*Section 24-30-1510.7, C.R.S.*)

Operating Expenses

This line item provides funding for the operating costs of the Executive Director's Office with reappropriated funds from departmental indirect cost recoveries. The Department is authorized to transfer spending authority between the EDO Personal Services and EDO Operating Expenses line items, in an amount up to 5.0 percent of the total appropriation for both line items. (*Sections 24-1-105, 24-1-124 and 24-33-101 et seq., C.R.S.*)

Legal Services

Most divisions in the Department rely on legal services purchased from the Department of Law (Attorney General's Office). This appropriation is calculated based on a 3-year average of attorney hours used multiplied by the blended rate for attorneys and paralegals, and a 3-year average of litigation expenses, plus or minus an adjustment for actual expenses incurred. (*Sections 24-31-101 (1)(a) and 24-75-112 (1)(i), C.R.S.*)

Payment to Risk Management and Property Funds

The appropriation for Payment to Risk Management and Property Funds is allocated to each department based on a statewide risk formula for two programs: the Liability Program and the Property Program. The Liability Program pays liability claims and expenses brought against the State. The Property Program provides insurance coverage for state buildings and their contents.

Each division's share of this appropriation is calculated based on its proportion of the Department's total building and contents value and number of FTE (to determine relative liability exposure). (*Sections 24-30-1510 and 24-30-1510.5, C.R.S.*)

Vehicle Lease Payments

This line item enables the Department to lease vehicles from State Fleet Management in the Department of Personnel. All seven DNR divisions lease vehicles to perform their work, although Colorado Parks and Wildlife accounts for over 75 percent of the Department's vehicle lease costs. The Department uses approximately 1,250 vehicles and averages a total of 14 million miles each year in the course of business. The cost of each lease is based on the purchase price of the vehicle selected and the terms of the lease agreement. (*Section 24-30-1104 (2), C.R.S.*)

Capital Outlay

This line item consists of cash and federal funds that support non-EDO capital expenses such as computers, furniture, and other one-time purchases. Prior to FY 2018-19, the capital outlay appropriation was combined with the EDO Operating Expenses appropriation in a single line item. (*Sections 24-1-105, 24-1-124 and 24-33-101 et seq., C.R.S.*)

Information Technology Asset Maintenance

This line item enables the Department to maintain and replace its IT systems, covering expenses such as annual IT support and maintenance agreements with hardware and software vendors, new and replacement equipment, computer supplies, data communication charges, utilities, and other related costs. (*Sections 24-1-105, 24-1-124 and 24-33-101 et seq., C.R.S.*)

Leased Space

Department divisions provide services statewide and operate satellite offices throughout Colorado for efficiency and proximity to specific project areas. In many instances, divisions are statutorily required to operate offices in specific counties and/or congressional districts. The leased space line item supports the cost of the leases for these offices, which is more practical and cost effective than purchasing or constructing space. (*Sections 24-30-1303 et seq., C.R.S.*)

Capitol Complex Leased Space

This line item is used to pay the Department of Personnel for the costs of maintaining state buildings that are part of the Capitol Complex. The appropriation is based on usable square footage utilized by each state department. DNR currently occupies 79,240 square feet of Capitol Complex leased space in the Centennial Building at 1313 Sherman Street, half of which is used by Colorado Parks and Wildlife and the Division of Water Resources. (*Section 24-30-1104 (4) and Part 1 of Article 82 of Title 24, C.R.S.*)

Payments to OIT

The line item provides spending authority for the Department to purchase IT services from the Office of Information Technology (OIT) within the Governor's Office. The majority of this appropriation is used to pay for the OIT staff who provide network support, desktop support, and applications development for the Department. This line item also pays for DNR's allocated share of: (1) OIT management and administration; (2) the cost of the State's General Government Computer Center; (3) the cost of operating and maintaining the Statewide Public Safety

communications network, and; (4) the Colorado State Network (the State's area network, providing efficient and effective Internet Access and communications to state and local government agencies). As a common policy line item, the request amount is set by OIT in collaboration with the Governor's Office of State Planning and Budgeting. The final appropriation is then determined by the Joint Budget Committee. OIT currently bills the department for one-twelfth of the total annual appropriation which consist of estimated costs for the upcoming fiscal year plus an adjustment to account for actual costs incurred in the most recently completed fiscal year. (*Sections 24-37.5-103, 24-37.5-506, and 24-37.5-604, C.R.S.*)

CORE Operations

This common policy line item funds the Department's share of the cost of operating, maintaining, and improving the Colorado Operations Resource Engine (CORE), the State's accounting system. (*Section 24-30-209, C.R.S.*)

(1) Executive Director's Office, (B) Special Programs

Colorado Avalanche Information Center Program Costs

The Colorado Avalanche Information Center (CAIC) protects people and property by reducing short and long term risks from avalanches. Avalanches not only take lives and destroy property; they damage local and regional economies. Local communities and regional industries all suffer serious economic losses when avalanches occur. CAIC staff is distributed throughout the state and they use remote monitoring equipment, manual observations, and numerical modeling to assess the current and future risk of avalanches. CDOT, Colorado's outdoor recreation community and others use the CAIC's weather and avalanche forecasts, online tools and maps to avoid or reduce their vulnerability and losses to avalanche hazards. The Colorado Avalanche Information Center increases public safety by offering forecasts and educational tools readily available to the public. (*Sections 24-1-124(2.1)(c) and 24-33-116, C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in the most recent "closed" fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(2) Division of Reclamation, Mining and Safety, (A) Coal Land Reclamation

Program Costs

This line item supports the Coal Regulatory Program, which regulates active coal mines and ensures mined lands are reclaimed to beneficial use while protecting public health, safety, and the environment. Colorado was granted state primacy to regulate coal mines following the passage of the federal Surface Mining Control and Reclamation Act (SMCRA), Title V of 1977. The program is funded with 79 percent federal funds from the U.S. Department of the Interior's Office of Surface Mining (OSM) and a 21 percent cash match from the Severance Tax Operational Fund, based on total permitted mine acres located on federally owned lands versus non-federal acres.

The OSM coal grant also supports the Inactive Mines program (see Subdivision (B) Inactive Mines) and the Blasters Certification program (see Subdivision (D) Mines Program) which are contingent on maintaining state primacy. (*Section 34-33-101 et seq., C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in the most recent "closed" fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(2) Division of Reclamation, Mining and Safety, (B) Inactive Mines

Program Costs

This line item provides funding for the Inactive Mines Reclamation Program (IMRP), which is responsible for safeguarding abandoned mine openings and reclaiming pre-law or legacy abandoned mine sites mined prior to passage of SMCRA in 1977. The appropriation consists of federal grant funds from OSM (see Subdivision (A) Coal Land Reclamation) and cash funds from the Severance Tax Operational Fund. Project funds used for administration and construction are spent over three fiscal years. Unlike the Coal Program, no specific percentage cash match is required but federal funding is still contingent on maintaining state primacy for coal regulation. The OSM grant funds are specifically limited to use at pre-law sites and may not be used to remedy environmental/water quality issues. The IMRP also uses non-appropriated project funds from the Bureau of Land Management, U.S. Forest Service and the Environmental Protection Agency which support between 7.0 and 11.0 FTE each year. (*Sections 34-21-101 through 103, 34-24-110, 34-33-133, 34-34-101 et seq., C.R.S.*)

In FY 2020-21, the existing Legacy Mine Hydrology Projects, Reclamation of Forfeited Mines Sites, and Emergency Response Costs line items were consolidated into the Inactive Mines Program Costs line item. Management activities from these lines, now supported by the Program Costs line item, include: the mitigation of mining-related problems that contribute to degrading water quality conditions near sites; support for gaps in bond funds at post-law sites (permitted after 1977); and support for projects that require immediate funding to address public health, safety, or environmental emergencies at permitted or abandoned hard rock/metal mines.

House Bill 20-1360 made conforming changes to statute, eliminating transfers from the Severance Tax Operational Fund to the Abandoned Mine Reclamation Fund and Reclamation Warranty and Forfeiture Fund, which supported IMRP appropriations prior to FY 2020-21. Following the line item consolidation, all severance tax funds will come directly from the Severance Tax Operational Fund without intermediate transfers. As requested by the General Assembly, DRMS will include a report in the annual budget request detailing all expenditures made from this line item in the previous year.

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in

the most recent “closed” fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(2) Division of Reclamation, Mining and Safety, (C) Minerals

Program Costs

This line item supports the Minerals Regulatory Program which oversees all non-coal mines, e.g., metals and construction materials, and ensures mined lands are reclaimed to beneficial use while protecting public health, safety, and the environment. The appropriation consists of cash funds from permitting fees assessed on mine operators and the Severance Tax Operational Fund. (*Sections 34-32-101 et seq. and 34-32.5-101 et seq., C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director’s Office and is determined as part of the Department’s indirect cost recovery plan based on personal services expenditures in the most recent “closed” fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(2) Division of Reclamation, Mining and Safety, (D) Mines Program

Colorado and Federal Mine Safety Program

The Colorado and Federal Mine Safety Program is responsible for:

1. Certification of coal mine officials;
2. Site-specific mine health and safety training and education to Colorado miners and contractors, upon request from the mines, and safety audits;
3. Production and distribution of up-to-date and effective safety training materials;
4. Inspection of tourist mines and idle or abandoned mines; and
5. Collecting and maintaining coal mine production records.

The Mine Safety Program is supported by federal funds from the U.S. Department of Labor Mine Safety and Health Administration, which is matched at 20 percent with cash funds from the Severance Tax Operational Fund and fees charged for coal mine certification exams and training materials. (*Articles 20 to 24 of Title 34, C.R.S.*)

Blaster Certification Program

The Blaster Certification Program conducts examinations to certify coal mine officials for specific positions—including blaster, shotfirer, electrician, underground mine foreman and fireboss—and is required by OSM as a condition of state primacy in the Coal Regulatory Program. Program staff work with the Coal Mine Board of Examiners to ensure exams are prepared and conducted per federal standards. Funding for this program comes from the OSM coal grant with the corresponding state match from the Severance Tax Operational Fund (see Subdivision (A) Coal Land Reclamation). (*Section -34-33-101 et seq., C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director’s Office and is determined as part of the Department’s indirect cost recovery plan based on personal services expenditures in

the most recent “closed” fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(3) Oil and Gas Conservation Commission

Program Costs

This line item funds the Oil and Gas Conservation Commission's (OGCC) personnel and operating expenses, including costs associated with 145.3 FTE, commission hearings, travel, training, information technology, safety equipment, the Interstate Oil and Gas Compact Commission, and general overhead. The employees funded through this appropriation are involved in field inspections, complaint response, enforcement, permitting, plugging and reclaiming orphaned wells, regulatory report reviews, environmental studies, mitigation of impacts caused by oil and gas activity, management of data related to approximately 52,000 active wells, and general administration.

Funding for the OGCC Program Costs line item is approximately 42% from the Severance Tax Operational Fund and 58% from the Oil and Gas Conservation and Environmental Response Fund, which receives most of its revenue from a levy assessed on the value of oil and gas production. (*Article 60 of Title 34, C.R.S.*)

Underground Injection Control Program

This line item reflects federal grant funding from the U.S. Environmental Protection Agency, which partially reimburses the OGCC for its costs associated with regulating Class II underground injection wells including 2.0 FTE. Authority over the UIC Program is delegated to the agency by the EPA. The grant amount varies slightly from year to year due to fluctuations in the federal budget and is shown in the Long Bill for informational purposes only. (*Article 60 of Title 34, C.R.S.*)

Plugging and Reclaiming Orphaned Wells

This line item is used by the OGCC to plug and reclaim orphaned wells and locations for which there is either no known responsible party or the responsible party is unwilling or unable to conduct the work in compliance with state rules. Funding for this line item is from the Oil and Gas Conservation and Environmental Response Fund and the OGCC has two-year roll-forward spending authority. The appropriation was decreased to \$3.85 million in FY 2020-21 to align the budget for the program with actual expenditures. (*Article 60 of Title 34, C.R.S.*)

Environmental Assistance and Complaint Resolution

These funds are used by the OGCC to respond to, investigate, prevent, monitor, and/or mitigate conditions that threaten to cause, or that actually cause, adverse impact on any air, water, soil, or to public health, safety, and welfare or wildlife resources. This work includes, but is not limited to, the collection of water and soil samples, laboratory analyses of the samples, assessment of cumulative impacts, and the review of laboratory results and other environmental data. Funding for this line item is from the Oil and Gas Conservation and Environmental Response Fund. (*Article 60 of Title 34, C.R.S.*)

Emergency Response

The purpose of this line item, per the Long Bill footnote associated with it, is to “fund investigation, prevention, monitoring, and mitigation of circumstances caused by or that are alleged to be associated with oil and gas activities and that call for immediate action by the Oil and Gas Conservation Commission.” The OGCC also uses this funding to address high-risk orphaned wells that require immediate plugging and/or reclamation work to stabilize. (*Article 60 of Title 34, C.R.S.*)

Special Environmental Protection and Mitigation Studies

This line item provides funding for special environmental protection and mitigation studies including, but not limited to, gas seepage mitigation studies, outcrop monitoring studies, soil gas surveys in the vicinity of plugged orphaned wells, and baseline water quality and subsequent follow-up studies. The intent is to provide readily-available funds for studies that need to be conducted as the needs for them are identified to optimize their benefit, as opposed to waiting on the annual budget process. Funding for this line item is from the Oil and Gas Conservation and Environmental Response Fund and the appropriation may or may not be fully expended in any given year. As requested by the General Assembly, the OGCC includes a report in its annual budget request detailing all expenditures made from this line item in the previous year. (*Article 60 of Title 34, C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director’s Office and is determined as part of the Department’s indirect cost recovery plan based on personal services expenditures in the most recent “closed” fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(4) State Board of Land Commissioners

Program Costs

This line item supports State Land Board personnel and operations, allowing the agency to function like a business in order to generate revenue for state trust beneficiaries. This includes:

- Personal Services: salaries and benefits for 42.0 FTE and temporary employees, as well as Land Commissioner compensation;
- Operating Expenses: staff training, telecommunications, travel, dues and fees, furniture, equipment, software, office supplies, utilities, printing, marketing, postage, and rentals;
- Lines of Business: business planning costs for ecosystem services, recreation, renewable energy, solid minerals, and mineral audits; and
- Stewardship: stewardship action plans, land and water projects, maintenance projects, and noxious weed treatment.

(*Section 9 of Article IX of the Colorado State Constitution and Article 1 of Title 36, C.R.S.*)

Public Access Program Damage and Enhancement Costs

This appropriation allows the State Land Board to invest approximately one-third of the revenue—about \$225,000—from the Colorado Parks and Wildlife Public Access Program recreation lease to prepare, maintain, and improve the state trust property leased by Colorado Parks and Wildlife for public hunting and fishing. (*Section 9 of Article IX of the Colorado State Constitution and Article 1 of Title 36, C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in the most recent "closed" fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(5) Division of Parks and Wildlife, (A) Colorado Parks and Wildlife Operations

State Park Operations

Colorado Parks and Wildlife (CPW) manages 42 state parks, including more than 4,000 campsites, 58 cabins and yurts, and over 700 miles of trails, with the goals of providing world class outdoor recreation and connecting people to Colorado's outdoors. The State Park Operations line item funds most aspects of the ongoing operations and staff at all state parks and administrative offices. Typical expenditures from this line include personal services, general operating expenses, utility expenses, and temporary staff to assist at the parks during the busy season. This line item also provides funding for education and training of new park rangers and shared central services such as licensing, engineering, accounting, purchasing, contracts, and human resources. (*Sections 33-10-101 to 33-13-116 and 33-60-101 et seq., C.R.S.*)

Wildlife Operations

CPW manages more than 350 state wildlife areas and is responsible for conserving over 960 species, with the goals of managing hunting/fishing opportunities within Colorado; maintaining healthy wildlife populations and ecosystems; preserving/enhancing Colorado's wildlife habitat; and heightening public awareness of CPW's wildlife management role and efforts through educational and outreach programs. The Wildlife Operations line item provides funding for division supervision and management, program and financial oversight, grant management, and intermediary activities necessary to encourage the success of the Division's Strategic Plan. This line item also provides funding for education and training of new wildlife officers and shared central services such as licensing, engineering, accounting, purchasing, contracts, and human resources. (*Sections 33-1-101 to 33-6-101 et seq., C.R.S.*)

Vendor Commissions, Fulfillment Fees, and Credit Card Fees

In 2018, Colorado Parks and Wildlife implemented IPAWS, a new system to manage the sale of hunting and fishing licenses and park passes through a third party vendor. The system is designed to manage both online sales and point-of-contact sales made in a CPW office or agent location. The vendor developed the software and other system components at no cost, in exchange for a commission charged on the sale of licenses and passes. Independent of the commission paid to the vendor, CPW also incurs credit card fees and fulfillment fees for many license and pass sales. This

line item provides funding for those commissions, fulfillment fees, and credit card fees. (*Sections 33-4-101 and 33-12-101, C.R.S.*)

(5) Division of Parks and Wildlife, (B) Special Purpose

Snowmobile Program

The CPW Snowmobile Program is responsible for the registration of snowmobiles in Colorado, mandatory safety certification of young operators, enforcement of registration requirements, trail marking and signing, and establishment and maintenance of snowmobile trails and related facilities. This line item supports program costs including personal services, general operating, and other costs. (*Section 33-14-102, C.R.S.*)

River Outfitters Regulation

The CPW River Outfitter Licensing Program is responsible for the administration of the annual licensing and regulation of the river outfitters. The program ensures the safety of river running activities through inspections to ensure river outfitters employ qualified personnel, follow appropriate operating parameters, and meet minimum equipment standards to ensure customer safety. This line item funds operations of the program, including personal services, general operating expenses, and other costs. (*Section 33-32-103, C.R.S.*)

Off-highway Vehicle Program Support

This appropriation is used for administrative costs of the Off-highway Vehicle program that administers the OHV registration and grant program. The program provides information and heightens awareness of the availability of off-highway vehicle recreational opportunities and encourages safe and responsible use of OHV's through brochures, news releases, and other media. The program is also responsible for the promotion of off-highway vehicle safety through promulgation and enforcement of rules and regulations. Partnerships with land management agencies and enthusiasts are formed to leverage grant funds and promote good management of motorized recreation. (*Section 33-14.5-106 and 111 (1), C.R.S.*)

Off-highway Vehicle Direct Services

This program provides grants to federal, state, and local government agencies and non-profit user groups to construct and maintain off-highway vehicle trails, parking areas, signage, and maps. Grant funds are provided through revenue generated from the registration of off-highway vehicles. The appropriation for this line is used exclusively for direct program services including an OHV law enforcement pilot program and other non-grant activities. (*Section 33-14.5-106, C.R.S.*)

Federal Grants

This line reflects funding received from the United States Coast Guard to fund boat safety within state parks. (*Section 33-13-101, C.R.S.*)

Stores Revolving Fund

This line was created to support S.B. 03-290, which established the Stores Revolving Fund in the amount of \$200,000 to acquire stock for warehousing and distributing supplies for retail sales to visitors. In 2018, S.B. 18-143 eliminated the \$200,000 cap and established that funding in the

Stores Revolving Fund is continuously appropriated. Any surplus in the fund in excess of the amount needed for stock purchases reverts to the Parks and Outdoor Recreation Cash Fund at the close of each fiscal year. (*Section 33-10-111.5 (4), C.R.S.*)

Information Technology

This line item supports IT systems and services necessary for core CPW functions by providing computer and communications infrastructure, asset management, user support, standardized software applications, internet oversight, development of information technology policies and plans, and the development and maintenance of new and existing business applications. The Information Technology line item also funds the development of strategies that protect, leverage, and best utilize the division's technology resources serving almost 900 divisional computer users. (*Section 33-10-109, C.R.S.*)

Trails Grants

The CPW Trails Program administers grants, supported by this line item, for trail-related projects on an annual basis. Local, county, and state governments, federal agencies, special recreation districts, and non-profit organizations with management responsibilities over public lands may apply for and are eligible to receive non-motorized and motorized trail grants.

This line item also funds technical assistance and training on trail design, development, and maintenance to agencies, communities, and non-profit groups statewide. The Trails Program also encourages Youth Corp trail projects, volunteerism, and public stewardship for trails on public lands. It coordinates with agencies and communities regarding trails and greenways supporting plans for: development, rivers, transportation and utility corridors, recreation, and habitat protection. (*Section 33-10-106, 33-10-108 and Section 33-60-104 (1)(b) and (c), C.R.S.*)

Aquatic Nuisance Species Program

This line item supports the operations of the agency's Aquatic Nuisance Species Program. S.B. 08-226 established Aquatic Nuisance Species laws to prevent, control, contain, monitor, and eradicate aquatic nuisance species from state waters. This program is in response to the discovery of Zebra Mussels in Pueblo Reservoir. The bill establishes a program to mitigate, and if possible, prevent the introduction and spread of aquatic nuisance species, which can have devastating economic, environmental, and social impacts on the aquatic resources and water infrastructure in Colorado. Typical expenditures from this line include personal services, general operating expenses, and temporary staff to assist at the parks during the busy season. (*Sections 33-10.5-101 et seq., C.R.S.*)

Game Damage Claims and Prevention

This line is composed solely of the Game Damage Claims and Prevention program. This appropriation represents spending authority for costs associated with game damage claims against Colorado Parks and Wildlife as well as buying game damage prevention materials and services. It is not possible to accurately predict annual spending on claims as it is dependent upon many factors, including the weather. Examples of prevention materials include fencing, hay storage, pyrotechnics, and other materials that are provided to landowners for the purpose of preventing damage (and potential Division liability) to standing and harvested crops, forage, and other property. (*Section 33-3-101 et seq., C.R.S.*)

Habitat Partnership Program

This line is composed solely of the Habitat Partnership Program, which is continuously appropriated. The program is funded by five percent of the net sales of big game hunting licenses used in geographic locations represented by a habitat partnership committee.

The Habitat Partnership Program is managed through 19 local Habitat Partnership Committees (plus one statewide council), and is designed to reduce wildlife conflicts, especially those related to forage and fencing issues. Local committees develop big game distribution management plans designed to minimize such wildlife conflicts. The Division funds fencing projects and performs various habitat improvement and wildlife impact mitigation projects designed to meet game management objectives and to keep big game off of private property. (*Sections 33-1-112 (8)(a) to (e) and 33-3-101 et seq., C.R.S.*)

Grants and Habitat Partnerships

This line item funds several external grant programs including four primary program areas- the Pheasant Habitat Improvement Program, the Wetlands Program, Fishing is Fun, and the Large Shooting Range Program. The Pheasant Habitat Improvement Program provides grants for habitat improvement projects on private property that support pheasant populations. CPW's Wetlands Program works with partners statewide to protect vulnerable wetlands and improve habitat. The Large Shooting Range Program provides grants to municipalities, private shooting clubs, and other groups to expand shooting range opportunities across the state. The Fishing Is Fun Program provides matching grants to local and county governments, water districts, and angling organizations to improve fishing opportunities in Colorado. The line item also funds miscellaneous grant programs for areas such as wildlife rehabilitation, small shooting range support, and recreational boating cleanout facilities. Appropriations under this line item are authorized for three consecutive years as the use of these funds is for projects that are typically capital in nature. The three year spending authority can be found in footnote section of the Division's Long Bill. (*Section 33-3-105, C.R.S.*)

Asset Maintenance and Repairs

This line item funds small construction projects that do not rise to the scope or funding level of the division's annual legislative capital construction request. These are typically routine repair projects that occur during the normal lifecycle of capital assets. This line item also supports the agency's Small Capital Program, which funds projects with a cost between \$5,000 and \$100,000. CPW has operated a Small Capital Program for state park assets for many years. With the FY 2018-19 budget, CPW began operating a corresponding program for wildlife assets. These projects are primarily maintenance in nature and address fire/safety/health issues or repair minor issues before they can become major problems.

CPW also occasionally uses this line item to fund trail maintenance and development, heavy equipment purchases related to maintenance, planning projects, and other projects that result in new amenities and structures. (*Sections 24-75-112, 33-1-107, and 33-10-106, C.R.S.*)

Annual Depreciation-lease Equivalent Payment

For divisions that conduct capital development, beginning with the FY 2018-19 budget request (as amended by H.B. 17-1144), if the capital project was funded by cash funds, a new line item called

“Annual Depreciation-lease Equivalent Payment” will be included in the operating budget. The state agency will annually calculate an amount equal to the recorded depreciation of the capital asset (prorated from the date of completion or acquisition to June 30 for the first year) and include this amount as a base adjustment in the budget request. On June 30 each fiscal year, the State Controller will credit the annual depreciation-lease equivalent payment from the cash fund/s to a capital reserve account established by the state agency within the cash funds. (*Section 24-30-1310 (2)(a), C.R.S.*)

Beaver Park Dam Repayment

Beaver Park Dam is CPW’s primary water storage and water rights management vessel for the San Luis Valley due to its location in the basin and its pre-compact status. The Beaver Park Dam is classified as a High Hazard dam and was placed under a Colorado Division of Water Resources storage restriction to ensure dam safety based on the 2010 discovery of a sink hole in the downstream slope of the dam. In FY 2011-12, the Division submitted a request for the Beaver Park Dam Rehabilitation Project. This project was initiated to rehabilitate and repair the dam to avoid a potential future dam failure and allow the Division to effectively use the water storage capacity of the reservoir. Construction is funded by Division cash and by a loan from the Colorado Water Conservation Board authorized by SBS12-002. This line item provides spending authority for repayment of the CWCB loan.

Chatfield Reallocation Repayment

This line item was created in the FY 2017-18 Long Bill and amended via H.B. 18-1170. It provides cash spending authority for CPW to make payments on \$8.3 million loans from the Colorado Water Conservation Board. The loans were used to pay for CPW’s share of mitigation costs associated with the Chatfield Reservoir Reallocation Project and were approved by the General Assembly in FY 2016-17. Under the terms of the loans, CPW will make annual payments of \$276,700 from CPW to CWCB from the Wildlife Cash Fund for 30 years using the spending authority appropriated in this line item. (*Sections 37-60-120.1 and 37-60-122 (1)(b), C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director’s Office and is determined as part of the Department’s indirect cost recovery plan based on personal services expenditures in the most recent “closed” fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(6) Colorado Water Conservation Board, (A) Administration

Personal Services

The Colorado Water Conservation Board (CWCB) was created in 1937 with a mission to conserve, develop, protect, and manage Colorado’s water for present and future generations. Governed by a 15-member Board, the CWCB’s responsibilities range from protecting Colorado’s streams and lakes to water conservation, flood mitigation, watershed protection, stream restoration, drought planning, water supply planning, implementation of Colorado’s Water Plan, and water project financing. The CWCB also works to protect the state’s water apportionments in collaboration with

other western states and federal agencies. The Personal Services line item supports 32.0 FTE, as well as per diem costs for CWCB Members. (*Articles 60 to 69 of Title 37, C.R.S.*)

Operating Expenses

This line funds the day-to-day operating expenditures and various membership and association expenses that maintain the State's ability to utilize and develop its entitlements under interstate compacts and equitable apportionment decrees. (*Article 60 of Title 34, C.R.S.*)

River Decision Support Systems

This line supports Colorado's Decision Support Systems (CDSS) program costs and 4.0 FTE. The CDSS are water management systems being developed by the CWCB and the Division of Water Resources for each of Colorado's major water basins. (*Article 60 of Title 37, C.R.S.*) The goals of CDSS are:

- Develop accurate, user-friendly databases that are helpful in the administration and allocation of waters of the State of Colorado;
- Provide data, tools and models to evaluate alternative water administration strategies, which can maximize utilization of available resources in all types of hydrologic conditions;
- Be a functional system that can be used by decision makers and other and be maintained and upgraded by the State; and
- Promote information sharing among government agencies and water users.

(6) Colorado Water Conservation Board, (B) Special Purpose

Intrastate Water Management and Development

This line supports the work of CWCB's Water Supply Planning Section. This section provides broad technical expertise in water use, water availability, and water supply planning. Staff members in this section also manage the Water Supply Reserve Fund (WSRF) and work on various aspects of the Colorado Water Plan. (*Article 60 of Title 37, C.R.S.*)

- The WSRF provides grants to complete water activities. Water activities are broadly defined and include water supply and environmental projects and/or studies. Requests for monies from this program must be approved by Basin Roundtables established under Section 37-75-104, C.R.S. Once approved by the Basin Roundtable, requests are forwarded to the Colorado Water Conservation Board to evaluate and make decisions regarding funding. The Water Supply Planning Section receives and processes all applications for approval by the CWCB Board.
- In 2003, the Colorado Legislature, recognizing the critical need to understand and better prepare for the state's long-term water needs, authorized CWCB to implement Statewide Water Supply Initiative (SWSI). The overall objective of the SWSI program was to help Colorado maintain an adequate water supply for its citizens and the environment. In 2013, staff began work on the first Colorado Water Plan, which was completed in 2015. CWCB staff completed the Analysis and Technical Update to the Colorado Water Plan in September 2019. Staff is continuing work on updating local Basin Implementation Plans (BIP) as a part of the on-going Colorado Water Plan update process. Updates to BIPs and Colorado's Water Plan are expected to be completed

at the end of 2021 and 2022, respectively. All of these efforts are used to strategically address Colorado's water needs.

Federal Emergency Management Assistance

This is a federally funded program that provides flood plain mapping and information about flood prevention. The FTE for the Map Modernization Program (MMP) include Colorado's Map Modernization Coordinator and a Flood Mapping Assistant. These FTE are responsible for the management of the MMP and ensuring high quality mapping products for Colorado communities. They handle day-to-day issues, and coordinate with and provide valuable input to the Federal Emergency Management Agency (FEMA). The Map Modernization Coordinator is the main point of contact for the State for all map modernization related activities in Colorado.

The FTE for the Community Assistance Program serves as the State Coordinator for the National Flood Insurance Program (NFIP) and has numerous responsibilities related to NFIP performance measurement, community assistance visits, ordinance assistance, community information system, floodplain mitigation strategies, education and outreach, technical assistance, Community Rating System (CRS) support, mapping coordination assistance, intra- and inter-state coordination, and other related activities. The position also serves as the State Hazard Mitigation Officer in the event of a federally declared flood disasters, and has a primary responsibility as the CWCB representative within Disaster Field Offices when they become active. (*Article 60 of Title 37, C.R.S.*)

Weather Modification

The CWCB administers Colorado's Weather Modification Program, which issues permits for weather modification projects, monitors environmental conditions, regulates weather modification activities, and engages in public outreach. This program is supported by cash funds from fees charged for weather modification permits. Weather modification operations and research have been conducted in Colorado since the 1950s and there has been a program to permit weather modification since 1972. (*Section 36-20-101 et seq., C.R.S.*)

Water Conservation Program

This line supports the Office of Water Conservation and Drought Planning (OWCDP), including 5.0 FTE. This Program promotes water use efficiency while providing public information and technical assistance for water conservation planning. The OWCDP also promotes drought planning by encouraging and assisting communities to prepare and implement drought mitigation plans and by monitoring drought impacts and informing the public, media, and state officials. This office also administers the Water Efficiency Grant Program and other severance tax grants to help water entities and local governments with water conservation and drought planning activities.

Other activities for the Program include:

- Researching drought analysis and planning techniques, surveying water users to determine the extent of drought planning, compiling drought histories for each river basin, developing drought response options, conducting conferences on drought, and drought fact sheets and planning documents.
- Chairing or attending meetings of the Water Availability Task Force.

- Reviewing water conservation and drought mitigation plans to determine if they meet statutory requirements.
- Continuation of active demonstration projects, review project progress, analysis and documentation of benefits from projects activities.

In addition, this Long Bill line item includes legislatively approved funding for the following purposes:

- Promote Precipitation Harvesting Pilot Projects (H.B. 15-1016): H.B. 09-1129 (Precipitation Harvesting Pilot Projects) established a 10-year pilot program for the collection of precipitation from rooftops for nonpotable use. This bill changes the requirements of H.B. 09-1129 to encourage more applicants by directing the CWCB to update the criteria and guidelines for projects, reducing the amount of water needed for a project's temporary substitute water plan and permanent augmentation plan, and extends the repeal date from July 1, 2020 to July 1, 2026.
- Water Conservation Training (S.B. 15-008): This bill directs the CWCB, in consultation with the Division of Planning in the Department of Local Affairs, to develop training programs for local government water and land use planners on the best management practices for water demand management and conservation.

(Sections 37-60-106, 37-60-115, 37-60-124 to 127, and 37-96-103, C.R.S.)

Water Efficiency Grant Program

This line supports 1.0 FTE and finances grants offered through the Water Efficiency Grant Program. These grants offer financial assistance to covered entities to aid in implementing their water conservation plan goals and programs identified in their locally adopted water conservation plans. The Program also provides grants to help agencies promote the benefits of water efficiency through public education and outreach programs. This line item supports 1.0 FTE, which is funded from the CWCB Construction Fund. Funding for the grant program is from the Water Efficiency Grant Program Cash Fund, which receives annual transfers as a grant program (formerly Tier II) from the Severance Tax Operational Fund. *(Section 37-60-126, C.R.S. and Section 39-29-109.3 (2)(c), C.R.S.)*

Severance Tax Fund

This line funds grants and CWCB initiatives financed by the Severance Tax Operational Fund. The CWCB annually prepares a project expenditure proposal, which is reviewed and approved by the CWCB Board and the DNR Executive Director. *(Section 39-29-109.3 (1)(d), C.R.S.)*

Interbasin Compacts

H.B. 05-1177 Negotiation of Interbasin Compacts created nine permanent basin roundtables to develop a common understanding of existing water supplies and future water supply needs and demands throughout Colorado, and possible means of meeting those needs. To help accomplish this goal, local interest groups and water experts were assembled in each of Colorado's eight major river basins including a sub-region in the metro area. These "Basin Roundtables" include municipal users, agricultural users, local governments, water conservation and conservancy districts, recreational and environmental interests, and the business community. The focus of the

Basin Roundtable meetings is information exchange on water use and on consensus building. This line item supports 3.7 FTE. (*Section 37-75-107, C.R.S. and Section 39-29-109.3 (2)(i), C.R.S.*)

Platte River Basin Cooperative Agreement

Colorado became a participant in the Platte River Endangered Species Cooperative in 1997. The Cooperative Agreement is signed by the governors of Wyoming, Colorado, and Nebraska and by the Secretary of the Interior to address the protection and restoration through a recovery implementation program to benefit various endangered species and habitats in the North Platte River Basin. The federal government extended the Platte River Recovery Implementation Program through December 31, 2032. The Long Bill appropriation to this line item supports 1.0 FTE and contractual personal services for ongoing administration of the program and Colorado's portion of contract technical support. (*Sections 37-65-101 and 24-33-111, C.R.S.*)

S.B. 02-87 Colorado Watershed Protection Fund

Senate Bill 02-087 established the Colorado Watershed Protection Fund (CWPF), which is funded from the Colorado Healthy Rivers Fund. The legislation authorized the Fund to be added to the Colorado Individual Income Tax Refund Check-off Program to allow citizens to support local watershed protection efforts by making a voluntary contribution. This revenue is used to provide competitive grants to local watershed organizations in their efforts to provide clean water, protect habitat, and improve recreation and accessibility throughout Colorado. (*Section 39-22-2401 through 2403, C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in the most recent "closed" fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

(7) Division of Water Resources, (A) Division Operations

Water Administration

Water Administration consists of two sub-programs: administration of intrastate water rights and interstate compact enforcement. The process of allocating water to various water users is traditionally referred to as water rights administration. It is the statutory responsibility of DWR to verify: (1) stream diversions are per decree; (2) wells are operated in compliance with their decrees; (3) augmentation plans or substitute water supply plans are replacing stream depletions, and; (4) interstate compact flows are delivered to downstream states. This requires daily oversight of the water allocation system that distributes water to farmers, industries, municipalities, and all other water users. Through the administration of approximately 170,000 water rights through over 45,000 structures, DWR provides supervision and control of surface and ground water resources in Colorado. There are seven division offices, excluding the Denver office, located throughout the state, one in each major drainage basin; these division offices employ field staff, including water commissioners, who perform duties that contribute to water administration. Duties of the field staff include turning headgates to control water flow, collecting water use and/or diversion data, and enforcing decrees and water laws. (*Articles 61 to 69 and 80 to 92 of Title 37, C.R.S.*)

Well Inspection

The Well Inspection Program is primarily focused on protecting the quality of groundwater in Colorado by licensing water well construction contractors and by enforcing existing rules and regulations. Groundwater is a drinking water source (potable supplies) for many households and municipalities. It is also extensively used for irrigation of crops for human consumption. Improper construction of wells can lead to aquifer contamination. The Well Inspection Program has two components: a staff of inspectors and a board which sets standards for construction and licensing. Therefore, this program sets and enforces minimum construction standards through approved permits and inspections for the construction, repair, plugging, sealing, and abandonment of all wells, test holes, monitoring and observation holes/wells, and dewatering wells. There are currently over 250,000 water wells in Colorado and over 6,000 oil and gas wells that require a water well permit by the Division of Water Resources (DWR).

The General Assembly created the State Board of Examiners of Water Well Construction and Pump Installation Contractors (Board) under DWR. The Board consists of five members, three appointed by the Governor; one member is the State Engineer or a representative designated by the State Engineer; and one representative is from the Colorado Department of Public Health and Environment. The Board is authorized to develop standards for construction to protect the aquifers and to license contractors for well construction. The Board is also authorized to enforce the rules and standards for well construction and pump installation. The State Engineer provides support staff for the Board and assists in the efficient and effective discharge of its duties and responsibilities (*Section 37-91-103, C.R.S.*). In 2003, the General Assembly passed Senate Bill 03-45 authorizing the creation of a well inspection program that is funded through a well permit application fee (*Section 37-91-113, C.R.S.*). Without such a program, there is little ability to locate substandard constructions which could allow contamination of the aquifers. This inspection program, in conjunction with the Board, protects the groundwater aquifers in Colorado. (*Section 37-91-113, C.R.S.*)

Satellite Monitoring System

The Satellite Monitoring System line item was created to support satellite-linked water resource monitoring stations throughout the state and is essential to daily water administration, the early flood warning system, low flow warning system, as well as administration of water rights and interstate compacts. The major DWR program supported by the Satellite Monitoring System line is water administration as it provides "real-time" stream flow information that is used by the Division of Water Resources for water administration, water users such as agricultural and municipal users, non-consumptive water users like the Colorado Water Conservation Board for instream flow purposes, and other interested persons such as rafters and anglers. Some cash revenue is generated through voluntary fees from conservancy districts, water users, user associations, and municipalities. (*Sections 37-80-102 (10), 37-80-111.5, and Article 92 of Title 37, C.R.S.*)

Federal Grants

The Federal Grant line item was created to accept grants from outside entities. Part of the funding is from the Federal Emergency Management Agency (FEMA) to support the Division of Water Resources' Dam Safety program. Funds to DWR come from the National Dam Safety Program (NDSP), whose mission is to invest in preventing dam failures and reducing the impacts on lives

and property that may be at risk from a dam failure. Funding in this line also includes small sums from the U.S. Bureau of Reclamation to support a water project in the San Luis Valley and provide gauging station maintenance for the Williams Fork gauge in northwestern Colorado.

River Decision Support Systems

The Colorado's Decision Support Systems (CDSS) provide factual information on which to make informed decisions concerning the management of Colorado water. The CDSS represents a statewide decision support system for the Colorado, Rio Grande, South Platte, and Arkansas River Basins. The system consists of databases and models that facilitate decision making related to interstate compacts, water resource planning, and water rights administration through use of historic data and geographic information systems. The CDSS has provided significant benefits to the State of Colorado and her citizens, including water users in agriculture, industry, recreation, and the conservation community. Direct benefits include allowing decision-makers access to water resource data to simulate potential decisions and policies and examine potential consequences related to the following:

- Interstate Compact Policy, including evaluation of alternative reservoir operating policies, and determination of available water for development and maximization of Colorado's apportionment.
- Water Resource Planning, including development and use of a water resource-planning model (new projects, water exchanges, operating plans) and evaluation of impacts of instream flow appropriations (endangered fish flow, minimum flows).
- Water Rights Administration, including optimization of water rights administration, on-line sharing of information between water users, and administration of water rights within compact allocations (alternative strategies of administration which will enable the maximum use of available resource).

Funds for this program have been provided both in the annual Colorado Water Conservation Board Construction Fund Bill (in support of development) and in the Long Bill (in support of ongoing costs starting in FY 1998-99). The major DWR program supported by the River Decision Support System line item is water administration. (*Article 60 of Title 37, C.R.S.*)

(7) Division of Water Resources, (B) Special Purpose

Dam Emergency Repair

Pursuant to Section 37-87-108.5, C.R.S, this appropriation provides funding to the State Engineer in the event emergency action is necessary to repair a dangerous or threatened dam. Cash funds are from the Emergency Dam Repair Cash Account within the Water Conservation Board Construction Fund. Pursuant to Section 37-60-122.5, C.R.S., the State Treasurer is authorized to transfer funds from the Colorado Water Conservation Board construction fund to the Division of Water Resources for emergency dam repair cash fund in such amounts and at such times as determined by the Colorado Water Conservation Board. Such transfers must not exceed five hundred thousand dollars There is a continuously appropriated line of \$50,000 included in the Long Bill for this purpose. Funds expended are recoverable from the dam owner. The major DWR

program funded by the Emergency Dam Repair line is Dam Safety. (*Sections 37-60-122.5 and 37-87-108.5, C.R.S.*)

Indirect Cost Assessment

This appropriation funds services provided by the Executive Director's Office and is determined as part of the Department's indirect cost recovery plan based on personal services expenditures in the most recent "closed" fiscal year. The appropriation is used to offset or minimize the need to spend General Fund on overhead expenses of the Executive Director's Office.

Satellite Monitoring System Maintenance (CWCB Project Bill Appropriation)

This is not a line item in the Long Bill but is included to reflect the cash funds spending authority for water projects from the Colorado Water Conservation Board Construction Fund established pursuant to Section 37-60-121 (1) (a), C.R.S. Funding for Satellite Monitoring System Maintenance is used for data collection platform replacement and upgrades, stream gage/cableway refurbishment, and field satellite telemetry equipment maintenance. The major DWR program funded by this line is water administration.