

CHAPTER 90

NATURAL RESOURCES

SENATE BILL 17-073

BY SENATOR(S) Garcia, Aguilar, Guzman, Kerr, Merrifield, Priola;
also REPRESENTATIVE(S) Valdez, Becker K., Esgar, Gray, Hamner, Hooton, Mitsch Bush, Rosenthal, Salazar, Young.

AN ACT

CONCERNING PROMOTION OF THE RUNYON-FOUNTAIN LAKES STATE WILDLIFE AREA.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Cooperative effort to promote the Runyon-Fountain lakes state wildlife area. (1) **Legislative declaration.** The general assembly hereby:

(a) Finds that:

(I) The Runyon-Fountain lakes state wildlife area, referred to in this section as the Runyon-Fountain SWA, located along the Arkansas river just upstream of the confluence with Fountain creek and very near the downtown of the city of Pueblo, is a multi-use area featuring thirty acres of ponds, approximately eight-tenths of a mile of river-front access, fishing, wildlife watching, and hiking and biking trails that interconnect with other local trails, including the Pueblo commuter trail;

(II) The land and water rights associated with the Runyon-Fountain SWA are owned by the Pueblo conservancy district, referred to in this section as the district, which, while it can participate in the development of parks or recreational facilities, has limited authority to spend money for purposes other than flood mitigation;

(III) The district has leased the recreational use of the land and water at the Runyon-Fountain SWA to the Colorado division of parks and wildlife, referred to in this section as the division, which stocks the ponds at the SWA and provides staffing to maintain it, including a public restroom, trash removal, wildlife habitat improvements, law enforcement, and similar services;

(IV) Pueblo owns the vehicular access to the Runyon-Fountain SWA and

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

maintains the trails there;

(V) While the division has prepared a master plan for the Runyon-Fountain SWA, neither the district nor Pueblo have done so; and

(VI) Due to a lack of collaboration between the interested parties, Runyon-Fountain SWA has faced challenges with regard to maintenance, capital improvements, trail improvements, and accessibility for people with disabilities;

(b) Determines that:

(I) The Runyon-Fountain SWA already provides substantial amenities to the Pueblo regional community and has the potential to become an even greater asset, both economically and by offering higher-quality and more diverse recreational opportunities; and

(II) The overlapping and fractured nature of ownership, management, and use of the Runyon-Fountain SWA and the lack of coordination between the affected governments have inhibited the development of the full potential of the Runyon-Fountain SWA; and

(c) Declares that this act is necessary to develop the full potential of the Runyon-Fountain SWA.

(2) **Process.** The Colorado division of parks and wildlife, the city of Pueblo, the Pueblo conservancy district, and other stakeholders, including local, regional, and statewide entities both public and private, may cooperatively engage in a long-term process to promote the maximum beneficial development and maintenance of the Runyon-Fountain SWA, including by:

(a) Establishing a process for stakeholder input into, and the development and implementation of, a multi-party master plan for the Runyon-Fountain SWA;

(b) Exploring potential funding sources, such as from conservation trust funds, the Great Outdoors Colorado trust fund, and gifts, grants, and donations, that can be used to develop and maintain the Runyon-Fountain SWA; and

(c) Considering options to facilitate operation of the Runyon-Fountain SWA.

(3) **Report.** The Colorado division of parks and wildlife and the Pueblo conservancy district shall report to the general assembly's committees of reference with jurisdiction over natural resources by March 1, 2018, regarding the progress of the cooperative effort established pursuant to this section.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect

unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 30, 2017