

# Department of Natural Resources SMART Act Presentation



Joint Agriculture Committee  
January 10, 2023



**COLORADO**  
Department of  
Natural Resources



# Agenda

1. Department Overview
2. Wildly Important Goals
3. Stimulus Update
4. Outdoor Equity Fund Update
5. DNR Budget Request Overviews
6. Legislative Agenda
7. Regulatory Agenda
8. Update on Compact Compliance



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# DNR Mission & Vision

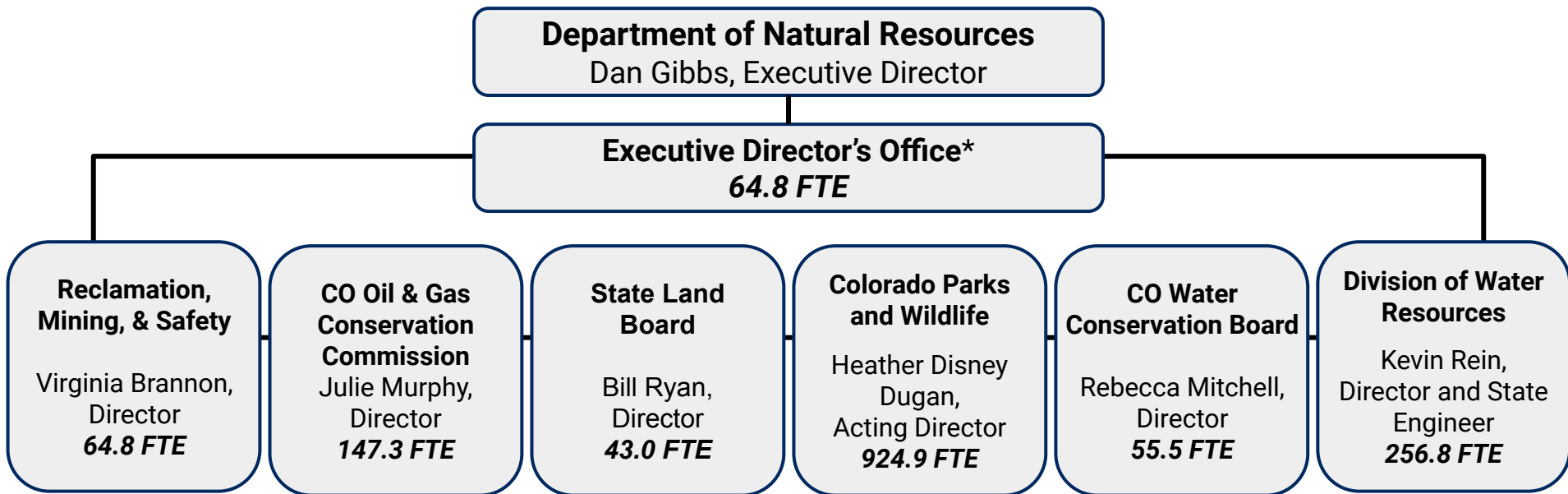
The mission of the Department of Natural Resources is:

**To manage and conserve Colorado's natural resources for the benefit and enjoyment of people today and tomorrow.**

DNR's vision:

**Colorado will be a national leader in promoting the responsible use and conservation of natural resources for this and future generations.**

# DNR Organizational Chart



*\*Includes CO Avalanche Information Center and COSWAP*



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# Division of Reclamation, Mining and Safety

**The Division of Reclamation, Mining and Safety's mission is to return Colorado's mined lands to a beneficial use. The Mined Land Reclamation Board is the Regulatory Authority under statute.**

**The Active Mines Program** consists of the Coal Program and Minerals Program that have oversight of all active mining in the state since 1976. Staff conducts inspections on a regular basis, initiates enforcement, and reviews all permitting actions. Minimizing environmental impacts is a key component of permitting and this includes water quality, heavy metal monitoring, and revegetation. Staff ensures there are adequate funds for reclamation of disturbed lands if an operator fails to reclaim.

**The Inactive Mines Program** has oversight of pre-1976 mining disturbances and any revoked permits from the Active Mines Program. The Program completes safety closures on hazardous mine features, monitors and mitigates historic coal mine fires, and conducts reclamation projects on legacy mine sites.



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# Division of Reclamation, Mining and Safety

## Active Mines: Mineral Program - 2022

- 1380 permitted mine sites  
(1151 Construction Materials, 116 Hard Rock, 113 Prospecting)
- 198,561 permitted acres, 849 acres reclaimed and released
- Holds \$810.6 million in financial warranties for reclamation

## Active Mines: Coal Program - 2022

- 7 actively producing sites, 19 sites in reclamation
- 162,920 permitted acres, 416 reclaimed and released
- Holds \$242 million in financial warranties for reclamation

## Inactive Active Mines - 2022

- Safeguarded 342 hazardous mine features
- Injected \$4.4M into local economies for abandoned mine reclamation
- Recent infrastructure funding will be focused on addressing Colorado's highest priority coal mine fire sites



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# Colorado Parks and Wildlife Mission & Vision

Colorado Parks and Wildlife's Mission is:

**To perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources.**

CPW's vision:

**Colorado Parks and Wildlife is a national leader in wildlife management, conservation, and sustainable outdoor recreation for current and future generations.**



Colorado Parks and Wildlife  
Acting Director,  
Heather Dugan

Leadership Team:

- Travis Black (Northwest)
- Kristin Cannon
- Cory Chick (Southwest)
- Reid DeWalt
- Rebecca Ferrell
- Mark Leslie (Northeast)
- Mitch Martin (Southeast)
- Ty Petersburg
- Justin Rutter
- Jeff ver Steeg



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# Colorado Parks and Wildlife

## Current core priorities:

- Keep Colorado Wild Pass Implementation
- Gray Wolf Reintroduction and Management Plan
- State Park Maintenance and Portfolio Growth
- Future Generations Act Deliverables
- Director Search
- Equity, Diversity and Inclusion



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# Colorado Water Conservation Board

**Presenter:** Becky Mitchell,  
Director

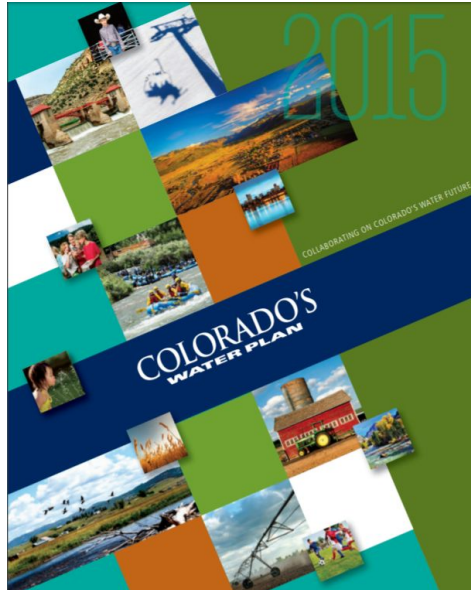
**Mission:** To conserve,  
develop, protect, and manage  
Colorado's water for present  
and future generations.



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Governor Jared Polis



# Colorado Water Conservation Board



## Key Metrics

- Acre-feet created with state financial support:
  - **FY23 target is 51,415 acre-feet**
- Acre-feet conserved as reported through conservation plans and the 1051 database:
  - **FY23 target is 53,000 acre-feet**
- Miles of stream protected:
  - **FY23 target is 9,917 miles**
- New water sharing agreements:
  - **FY23 target is 23 projects**



# Division of Water Resources (State Engineer's Office)

## Mission:

The Division of Water Resources will administer the waters of the State to maximize lawful beneficial use, ensure that dams and water wells are properly constructed and safe, and provide information about water resources to the public.



SEO Leadership



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# Division of Water Resources' Responsibilities

Water Administration: Ensuring the maximum beneficial use of Colorado's water, no injury

- Over 140 years - administer the waters of the state by priority
- Large portion of staff is on the ground, active administration
- Maintain a presence of technical, accounting, and administrative support staff
- Full compliance with interstate compacts

Safe Dams and Well Construction

Water Resource Information

# State Board of Land Commissioners

## *An innovative land trust funding Colorado schools since 1876*

**Mission:** manage an endowment of assets held in perpetual, intergenerational public trusts for the financial support of Colorado's public schools and other public institutions to generate reasonable and consistent income over time by protecting and enhancing the long-term productivity and sound stewardship of working trust lands.

## Director - Bill Ryan

- Created by Constitution Article IX
- Own 2.8m acres of land and 4m acres of subsurface minerals
- Working lands leased for agriculture, oil & gas, recreation, renewable energy, commercial buildings, ecosystem services
- No General Fund support
- 46 FTE



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# State Board of Land Commissioners

- FY21-22 School Trust Revenues & Permanent Fund Interest: \$245m
  - Distributed \$114m to BEST Program; nearly \$1 billion distributed to BEST since 2008
- FY 22-23 Forecast for Revenues & Interest: \$226m
- Renewable energy from Trust lands can power 125,000 homes
- 1m acres in CPW Public Access Program



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# Wildly Important Goals

1. Sustainable Funding for Parks & Wildlife
2. Balance Outdoor Recreation and Conservation
3. Water Plan Implementation
4. Equity, Diversity, and Inclusion



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# Wildly Important Goals

1. Sustainable Funding for Parks & Wildlife
  - Increase Park Pass Revenue
  - Promote the Keep Colorado Wild Pass
  - Increase Donations

## Wildly Important Goal:

Develop new, diverse funding sources for Colorado Parks and Wildlife by raising \$27.985 million in parks pass entry fee and private donations revenues by June 30, 2023.



Successful completion of this goal will provide diverse, stable, long-term funding that is equitable and supported by a broad set of stakeholders to adequately support parks, wildlife conservation and recreation in Colorado for years to come.



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# Wildly Important Goals

## 2. Balance Outdoor Recreation & Wildlife

- Increase grant funding for Regional Partnerships
- Increase movement analysis and reports for big game herd movements
- Increase number of maintenance hours performed by trail crews supported by grants
- Work with Partner Agencies to identify 3 pinch points in wildlife corridors that may be vulnerable to habitat linkages



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# Wildly Important Goals

## Balance Outdoor Recreation and Conservation

### Wildly Important Goal:

Increase the number of regional partnerships adopting our shared vision and guidelines from 10 partnerships to 13 partnerships by June 30, 2023.



Successful completion of this goal will prioritize the conservation of the state's wildlife, landscapes and agricultural lands while enhancing public access or management in areas most suitable for meeting recreation.



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# Wildly Important Goals

## 3. Increase Local Capacity to Implement the Colorado Water Plan

- Ensure grant applications from new stakeholders make up at least 15% of total grant applications
- Complete the 2023 Water Plan
- Hire and deploy 4 technical water planning grant experts across the state
- Make 70 touch points on the 2023 Water Plan
- Increase grants for Public Education, Participation Outreach from \$6.5k to \$25k



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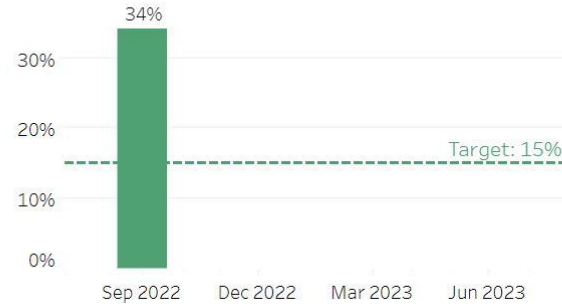


# Wildly Important Goals

## Water Plan Implementation

### Wildly Important Goal:

Begin implementation of the 2023 Colorado Water Plan by ensuring grant applications from new stakeholders make up at least 15% of total grant applications by June 30, 2023.



Successful completion of this goal will increase local capacity to complete meaningful projects, such as watershed restoration, among other objectives of the Colorado Water Plan.



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# Wildly Important Goals

## 4. Equity, Diversity and Inclusion

- Engage employees and partner organizations in shared dialogue to adopt norms, values and recommended actions for inclusivity and equity
- Conduct culture survey and create an implementation plan to improve CPW's culture for EDI
- Hold 10 "One DNR" Forums for employees on topics related to inclusive workplace culture, equitable access to the outdoors, and other topics
- Hold four EDI Advisory Group Meetings with Partner Organizations



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# Wildly Important Goals

## Equity, Diversity and Inclusion

Hold 10 "One DNR" Forums for employees on topics related to inclusive workplace culture, equitable access to the outdoors, and other topics related to DNR's mission by June 30, 2023.



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# More information

To view monthly updates on Wildly Important Goals and corresponding lead measures, please visit the [Governor's Dashboard](#).

For more information on additional Department of Natural Resources goals, view our FY 2022-23 Performance Plan at:

[operations.colorado.gov/performance-management/departments-performance-plans](https://operations.colorado.gov/performance-management/departments-performance-plans)

# Outdoor Equity Grant Program - An Update

In the first year of the Outdoor Equity Grant Program:

- \$3.1 million awarded to 69 organizations to increase access to the outdoors
- 6,930 participants reached July 1 – Dec 1, 2022
  - 79% youth under 25, 21% adults
  - 5% of participants are people with disabilities
  - Participants live in 34 Colorado counties and the Ute Mountain Ute Reservation
- Racial and ethnic makeup of participants:
  - 56% Hispanic or Latino, 8% White (not Hispanic/Latino), 6% Black or African American, 3% American Indian and Alaska Native, 2% Multiracial, 1% Asian American or Pacific Islander, 23% Unknown



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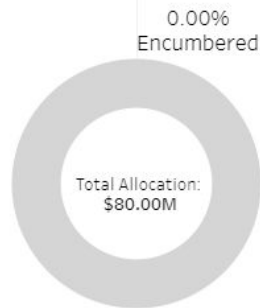
# Stimulus Funds

The Department has been appropriated stimulus funds in the following categories:

- **Wildfire Mitigation:** \$19.5M total for the Colorado Strategic Wildfire Action Program (COSWAP). An additional \$16.5M one-time funds for wildfire mitigation at the Colorado State Forest Service (CSFS).
- **Water:** \$85M total for groundwater sustainability efforts, state water plan projects, and technical assistance for federal grants.
- **Watershed Restoration:** \$44M total for post-fire watershed restoration efforts and CWCB's new Wildfire Ready Watersheds initiative.
- **Parks, Wildlife, and Recreation:** \$42.8M total for staff, operating, and capital projects at state parks, implementation of the State Wildlife Action Plan, and backcountry avalanche safety.

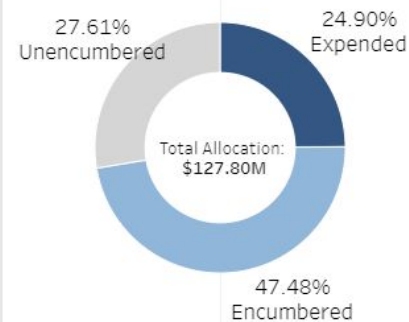
# Stimulus Funds Status

ARPA State & Local Fiscal  
Recovery Funds (SLFRF)



ARPA Direct to Agency  
Awards (DAA)

State Stimulus



<https://coforward.colorado.gov/data>



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# DNR FY 2023-24 Budget Request

## FY 2023-24 Budget Snapshot\*

FY 2023-24 Total Funds: \$398.6M

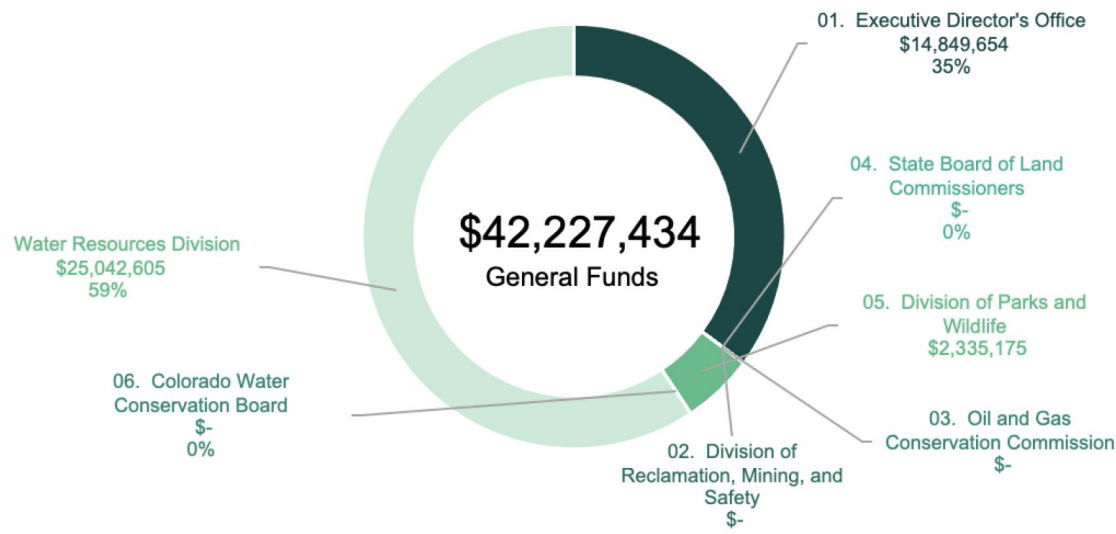
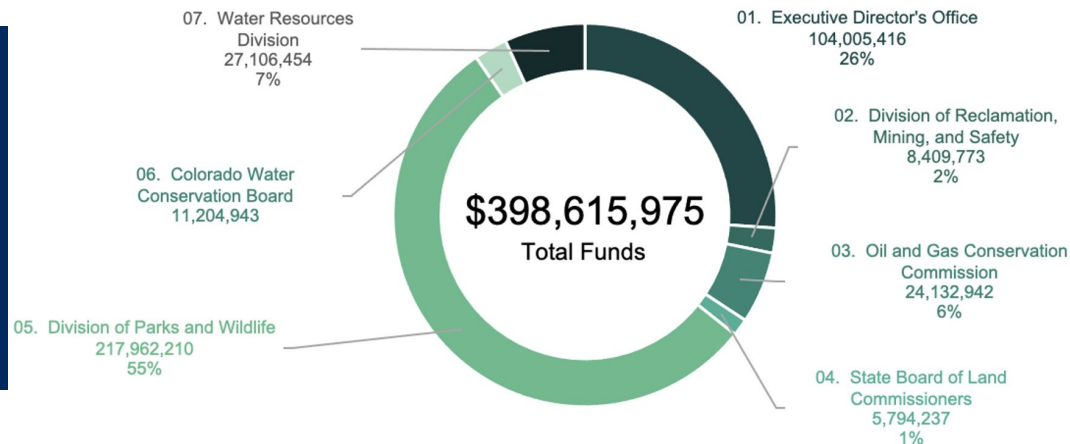
FY 2023-24 General Fund: \$42.2M

FY 2023-24 FTE: 1,649.9

\*Reflects November 1, 2022 Budget Request



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# FY 2022-23 Current Operating Appropriations by Division

**Total Funds = \$501.8M**

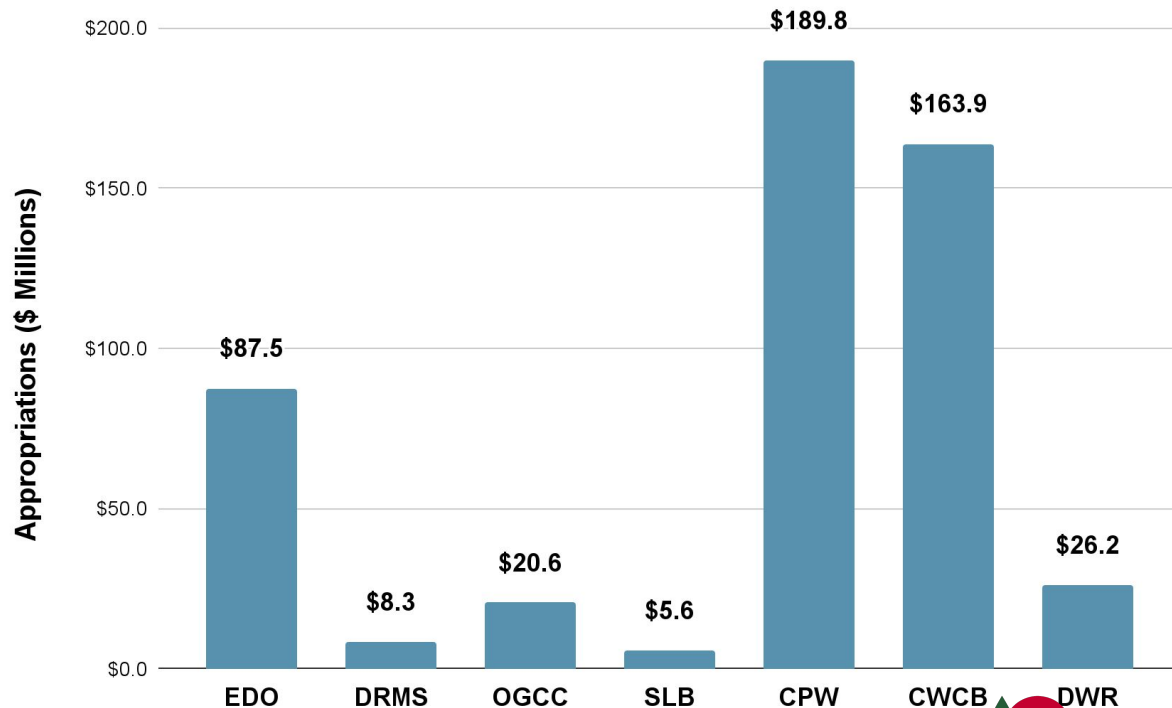
General Fund = \$38.7M

Cash Funds = \$369.2M

Reapprop Funds = \$67.9M

Federal Funds = \$26.0M

FTE = 1,557.1



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# FY 2023-24 Budget Request Detail

## Requests to Implement Major Legislative Initiatives

- **COGCC Mission Change (S.B. 19-181)**
  - COGCC Mission Change Operational and Regulatory Support
- **Keep Colorado Wild Pass (S.B. 21-249)**
  - Keep Colorado Wild Pass Implementation Support
  - Support for Winter Recreation and Avalanche Safety
  - Resources to Manage and Protect Colorado State Parks
- **Future Generations Act (S.B. 18-143)**
  - Staffing to Support Wildlife Management
  - Parks and Wildlife Business Technology
  - Water and Research Projects to Support Wildlife



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# FY 2023-24 Budget Request Detail

## Water

- Colorado River Policy and Technical Support Team
- Colorado Water Plan Data and Mapping Specialist
- Water Plan Grant Program Legislative Placeholder

## Wildfire Mitigation

- Multi-Department Wildfire Mitigation Investment Package
- Continue Wildfire Mitigation & Workforce Grants for CO Strategic Wildfire Action Program



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# Legislative Agenda

The Department respectfully requests the General Assembly consider legislation on the following:

- Stream Restoration and Water Administration
- Carbon Capture Underground Storage and Emerging Energy Markets
- 2023 Water Projects Bill
- 2023 Species Conservation Trust Fund

# Regulatory Agenda

Some Upcoming Rulemakings:

CPW - Big Game clean up, Passes and Permitting, Regulatory changes required for reintroduction of gray wolves

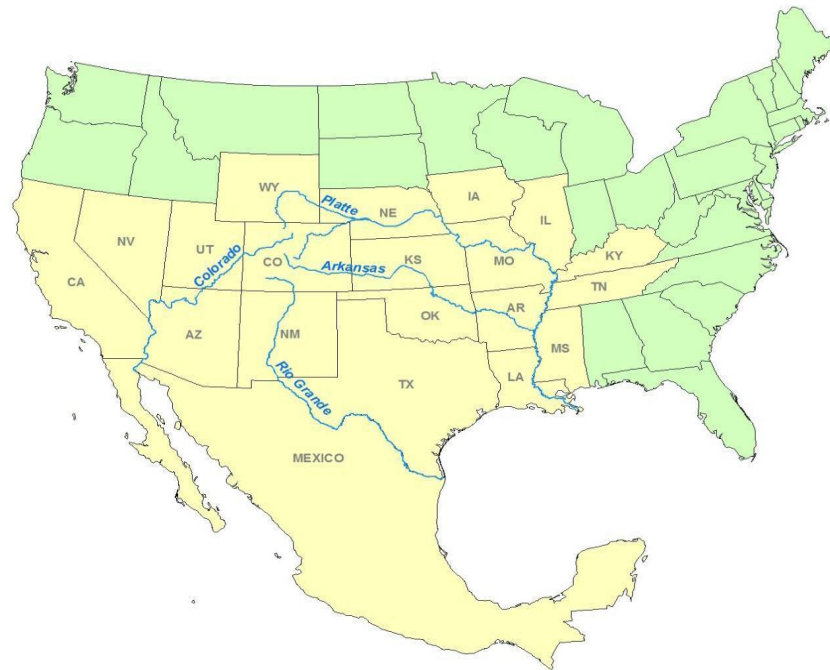
DWR - Water Well Construction, Statewide Nontributary Rules,

More information available in the 2023 DNR Regulatory Agenda Report



# Colorado's Compact Compliance

**19 States & Mexico  
Rely on Colorado  
Water**



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# Colorado's Compact Obligations

Colorado River Compact – 1922 (Colorado Commissioner, SEO responsibility)

La Plata River Compact – 1922 (SEO responsibility)

South Platte River Compact – 1923 (SEO responsibility)

Rio Grande River Compact – 1938 (SEO responsibility)

Republican River Compact – 1942 (SEO responsibility)

Costilla Creek Compact – 1944 (Rev. 1963) (SEO responsibility)

Upper Colorado River Compact – 1948 (Shared responsibility)

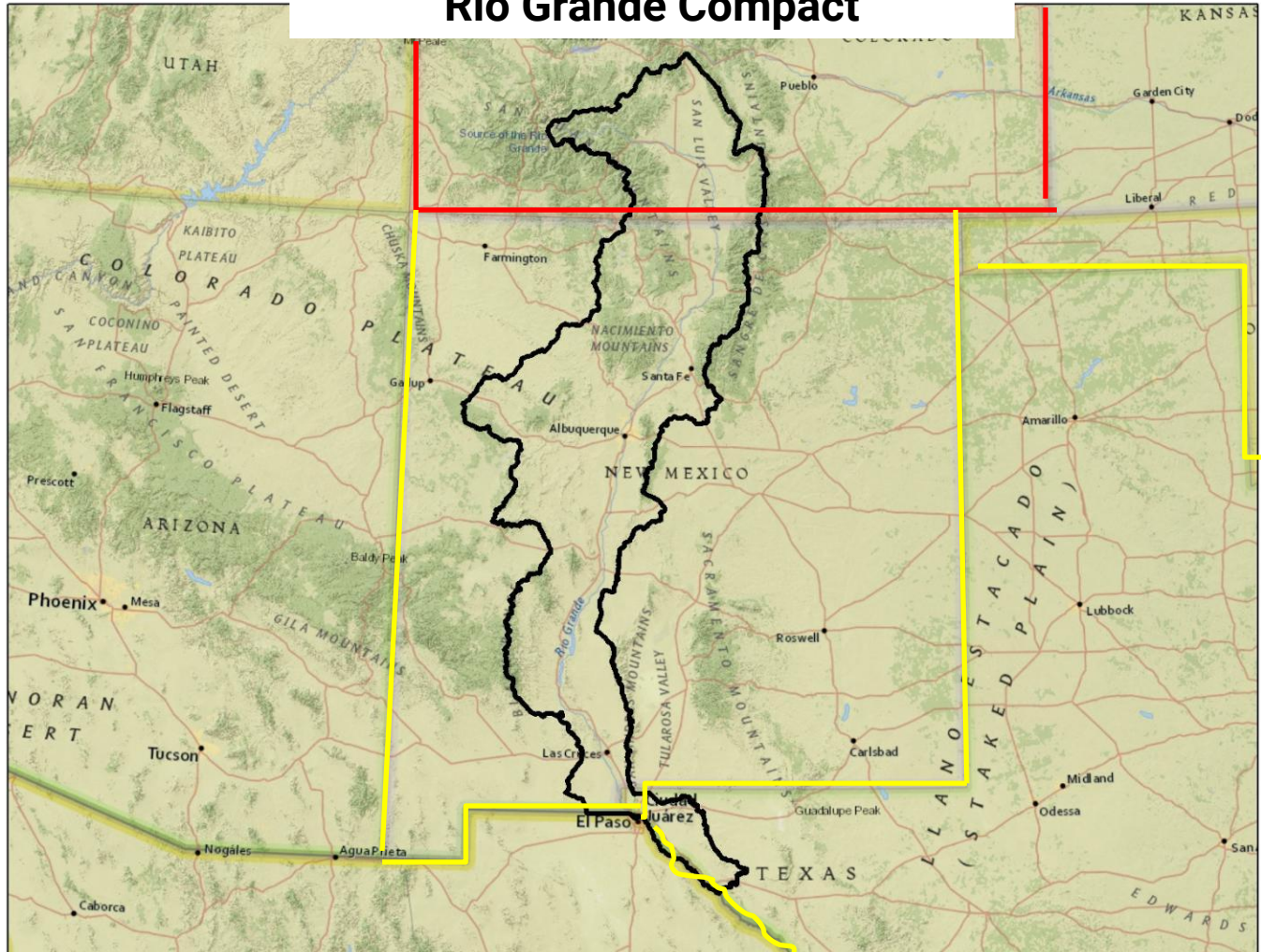
Arkansas River Compact – 1948 (CWCB Commissioner, Colorado Engineering and Administration)

Animas-La Plata Project Compact – 1969 (Shared responsibility with the CWCB)

# How Colorado Stays in Compact Compliance: Methods of Allocating Water Among States

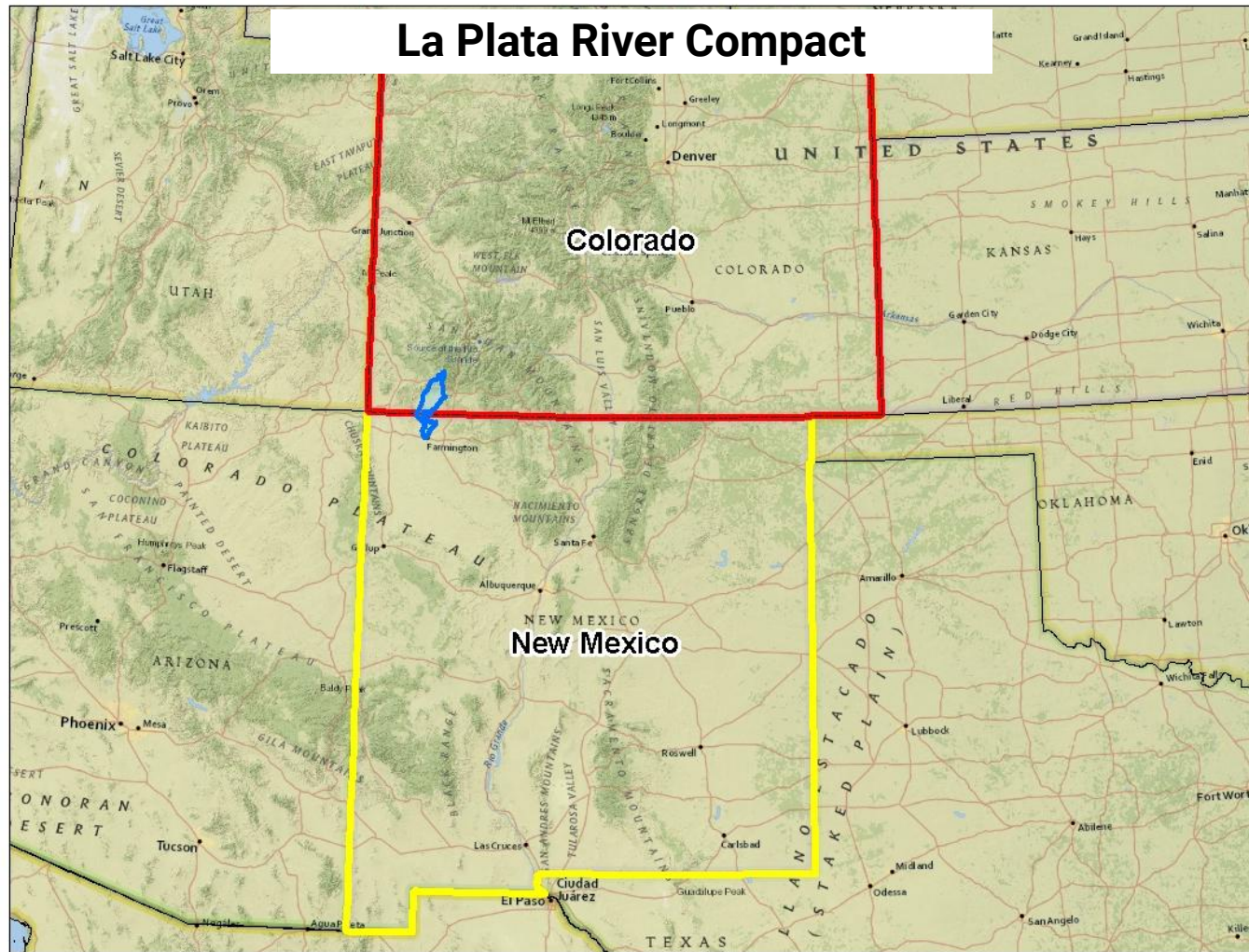
- Delivery of a portion of an indexed supply to the stateline
  - Rio Grande Compact
  - La Plata River Compact
- Application of Doctrine of Prior Appropriation across stateline
  - Costilla Creek Compact
  - South Platte River Compact
- Post-compact development, state line flows
  - Arkansas River Compact
- Based on allocation of basin's water supply
  - Republican River Compact
  - Colorado River Compact

# Rio Grande Compact





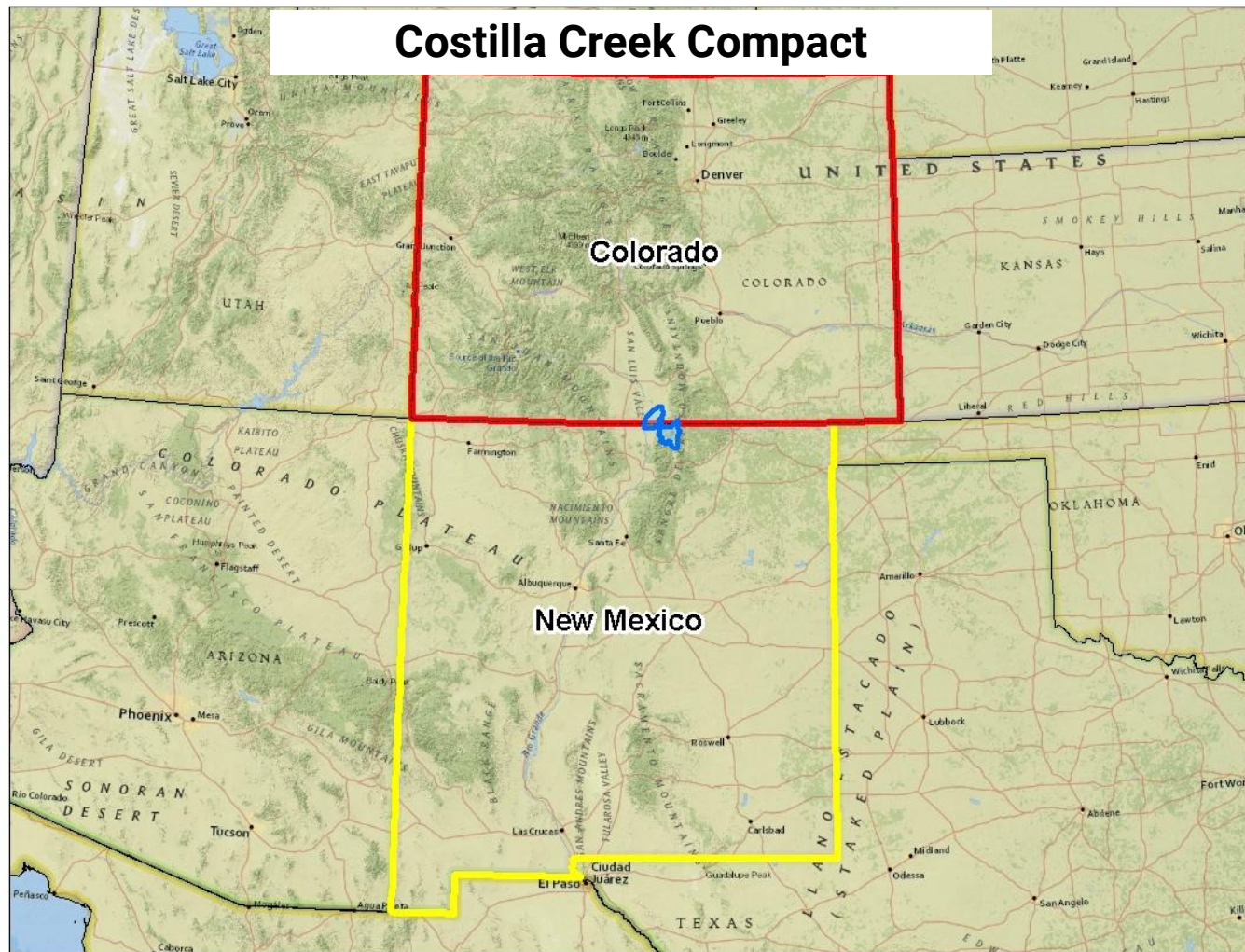
# La Plata River Compact



# How Colorado Stays in Compact Compliance: Methods of Allocating Water Among States

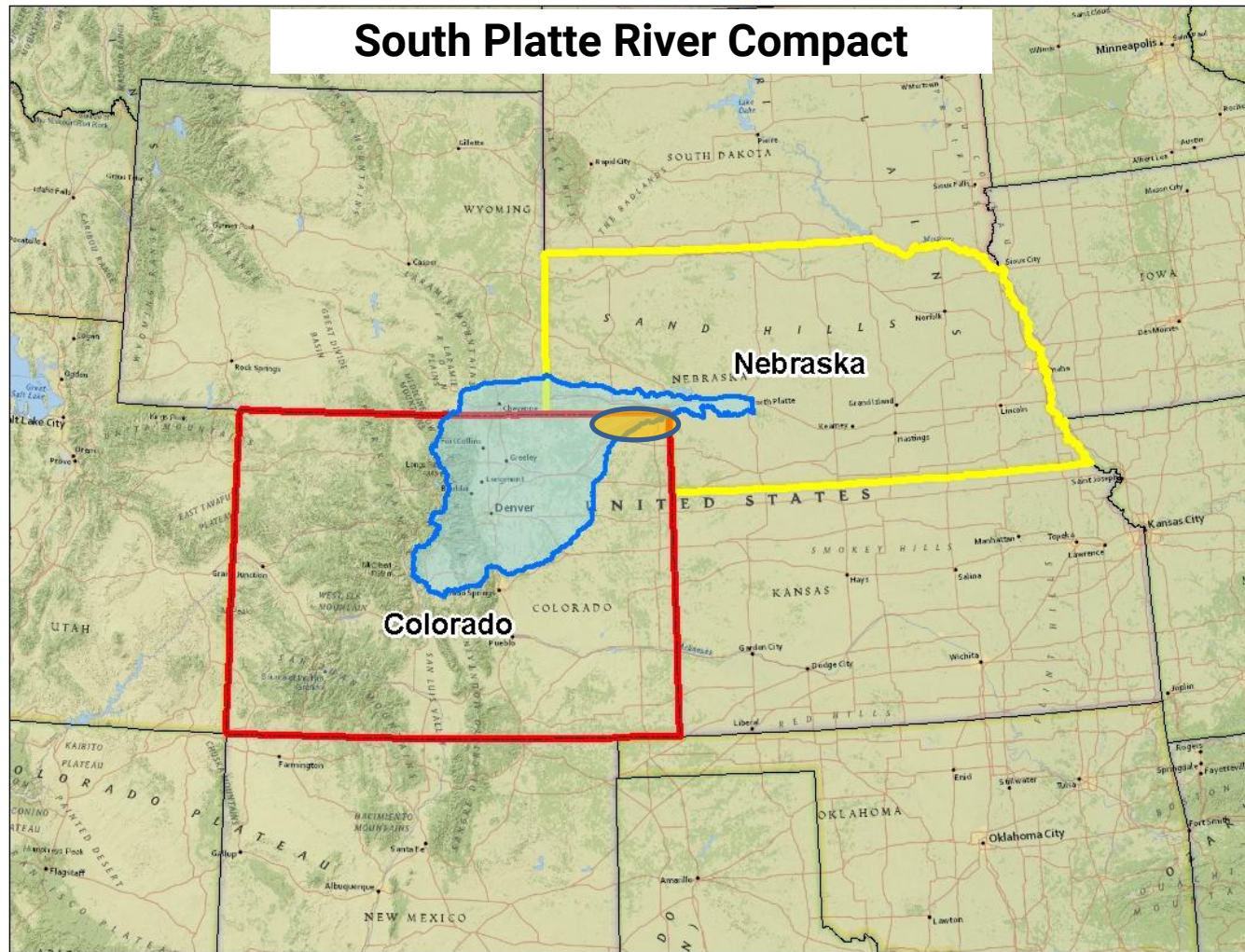
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# Costilla Creek Compact





# South Platte River Compact

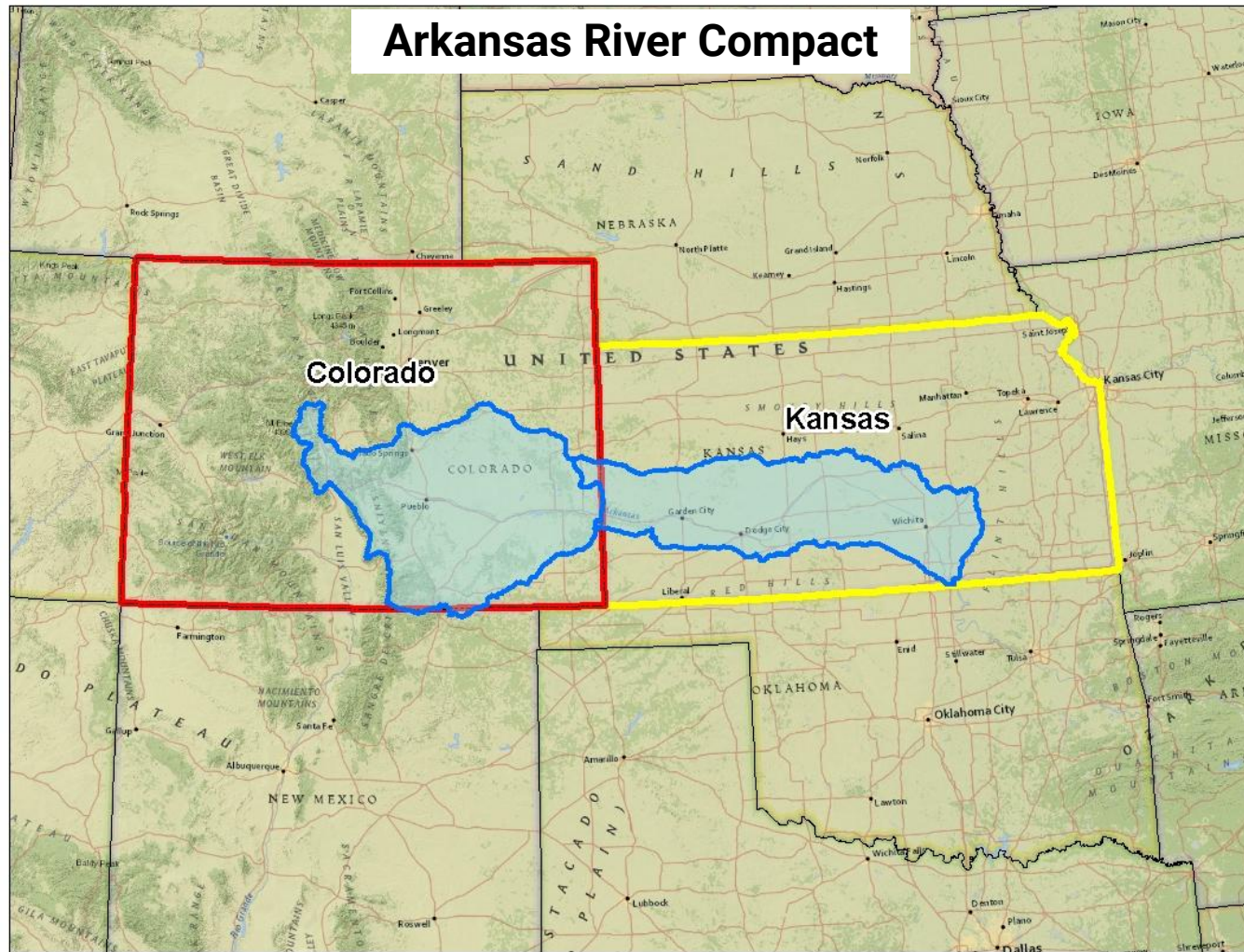




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# Arkansas River Compact

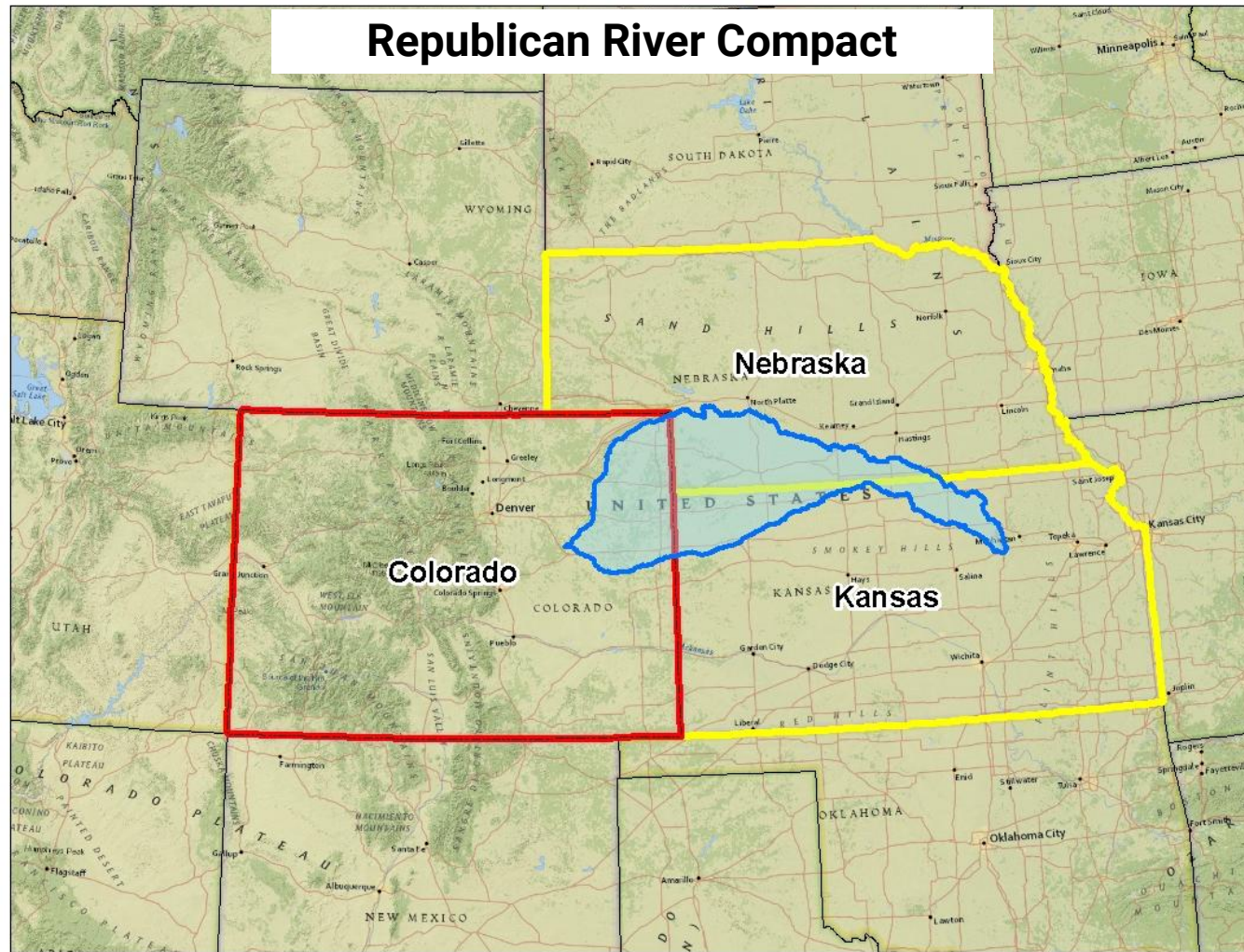


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  - Arkansas River Compact
- Based on allocation of basin's water supply
  - Republican River Compact
  - Colorado River Compact



# Republican River Compact



## Colorado River Compact say (Article III(d))

“The states of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years...”

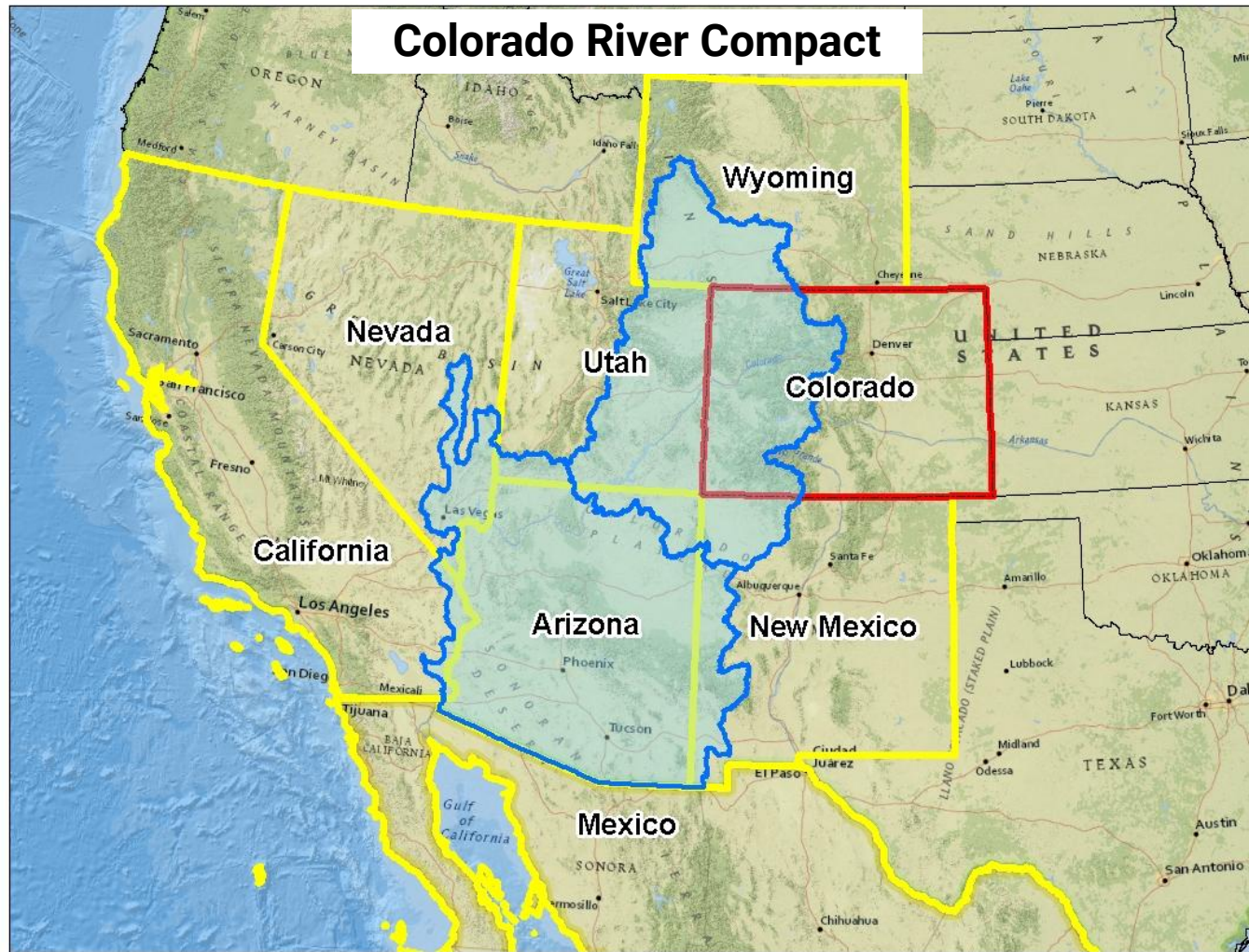


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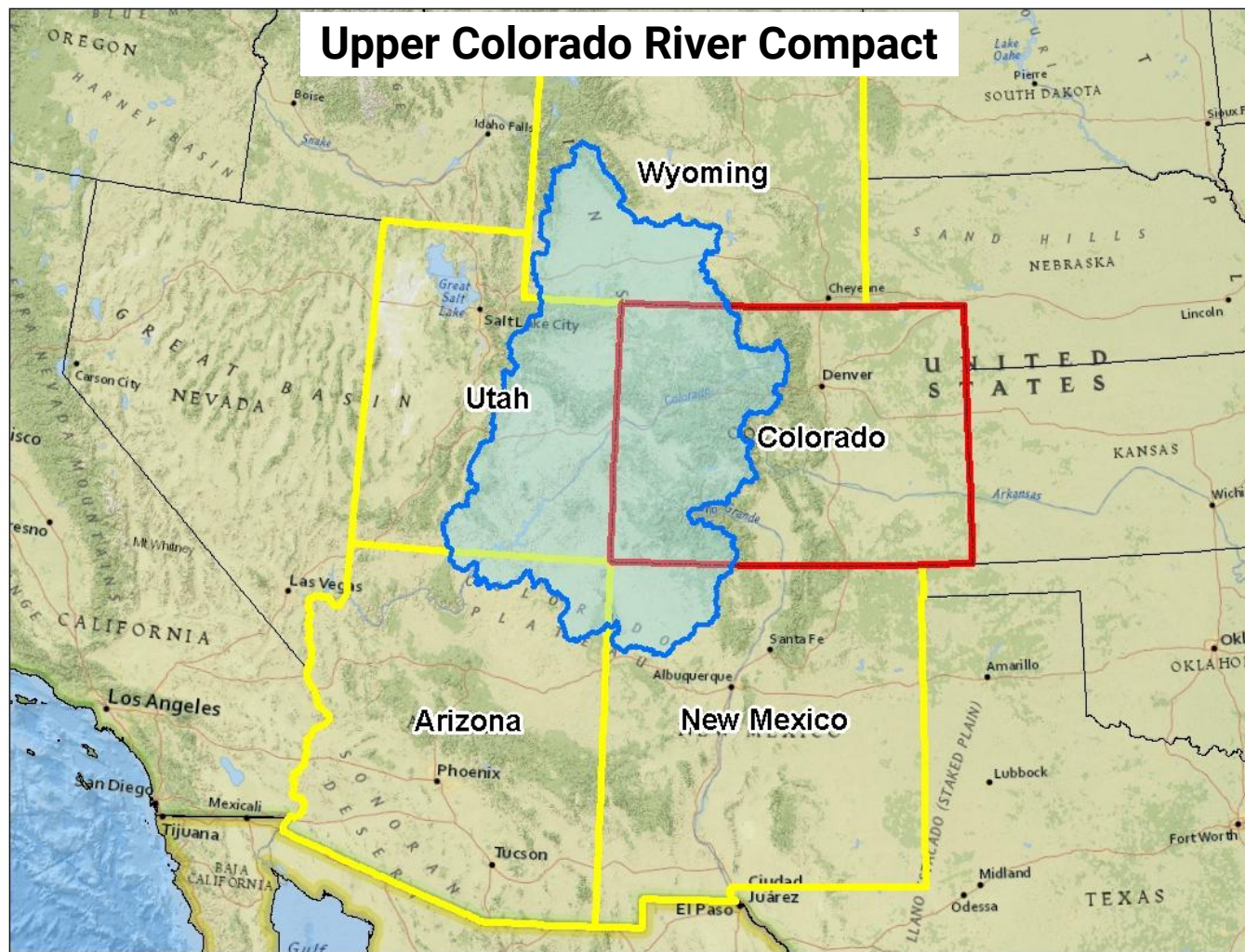
Department of Natural Resources

# Colorado River Compact

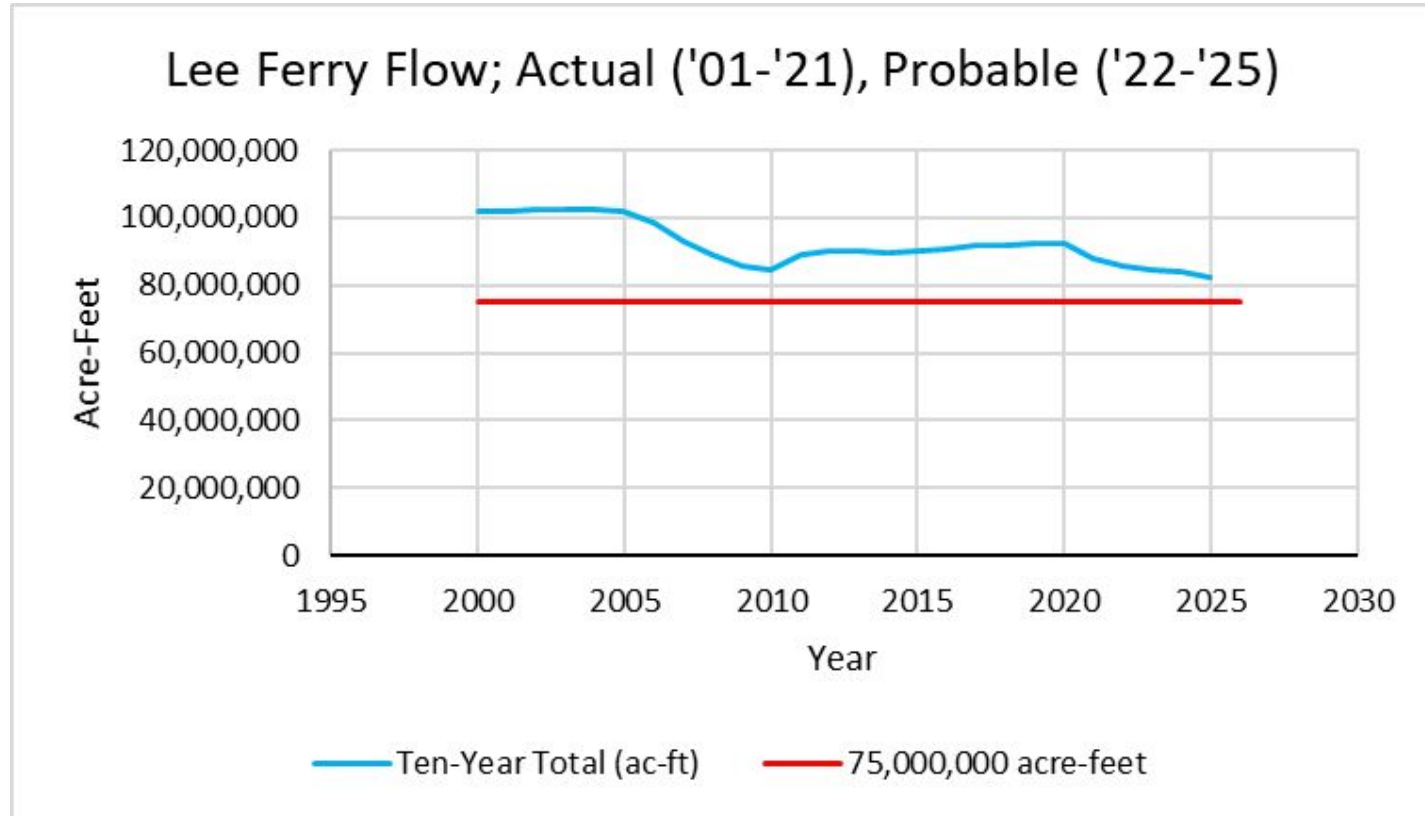




# Upper Colorado River Compact



# Outlook of Certain Flows Occurring





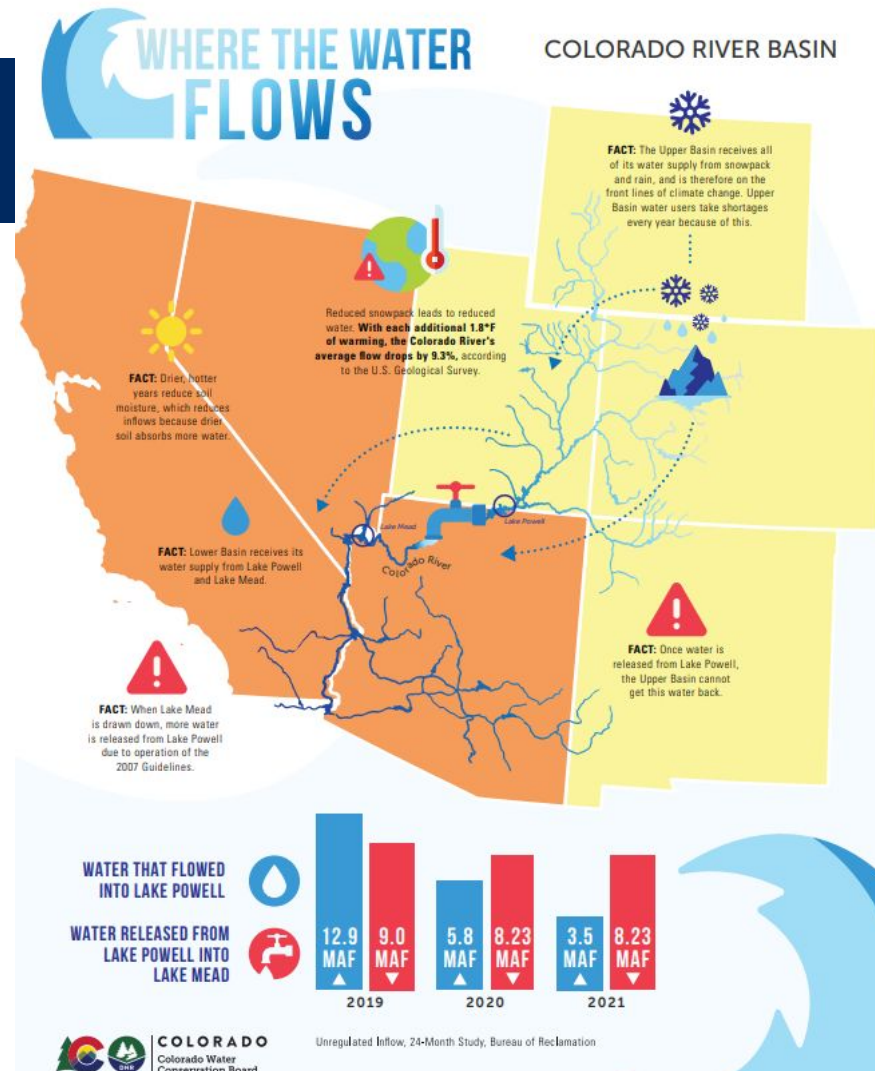
# Colorado River Update

CO River Basin is facing unprecedented challenges that will require unprecedented resources:

- In response to a federal request for conservation, Upper Division States will implement a 5-point Plan
- Implement a pilot program
- Negotiate future reservoir operations
- Long-term technical and policy needs



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# One-Time Funding for Water

Bill	Funding	Purpose
HB 21-1260	\$5,000,000	GF transfer to the CWCB Water Supply Reserve Fund
HB 21-1260	\$15,000,000	GF transfer to the CWCB Water Plan Implementation Cash Fund
SB 21-054	\$4,000,000	GF transfer to the CWCB Construction Fund for the Watershed Restoration Program related to damage from the 2020 wildfire season
SB 21-240	\$30,000,000	GF transfer to the CWCB Construction Fund for watershed restoration and flood mitigation grants and to conduct a watershed analysis
HB 22-1379	\$15,000,000 (ARPA)	Economic Recovery and Relief Cash Fund transfer to CWCB for watershed restoration and capacity building to support pursuit of federal funding
SB 22-028	\$60,000,000 (ARPA)	Appropriation from the Economic Recovery and Relief Cash Fund for groundwater use reduction the Rio Grande and Republican River basins
HB 22-1151	\$2,000,000	GF transfer to the CWCB for a Turf Replacement Program

