

CHAPTER 197

NATURAL RESOURCES

SENATE BILL 05-186

BY SENATOR(S) Isgar, Entz, Fitz-Gerald, Gordon, Groff, Grossman, Hanna, Hillman, Sandoval, Shaffer, Taylor, Teck, Tochtrop, Tupa, and Wiens;
also REPRESENTATIVE(S) Curry, Berens, Borodkin, Coleman, Hoppe, Larson, Merrifield, Solano, Stafford, and Stengel.

AN ACT**CONCERNING APPROVAL OF THE SPECIES CONSERVATION ELIGIBILITY LIST.**

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

SECTION 1. Legislative declaration. (1) Pursuant to:

(a) Section 24-33-111 (2), Colorado Revised Statutes, the species conservation trust fund has been created in the state treasury to fund programs designed to conserve native species that have been listed as threatened or endangered under state or federal law, or are candidate species or are likely to become candidate species as determined by the United States fish and wildlife service;

(b) Section 24-33-111 (3), Colorado Revised Statutes, the executive director of the department of natural resources, after consulting with the Colorado water conservation board and its director, the wildlife commission, and the director of the division of wildlife, has prepared and delivered to the general assembly a species conservation eligibility list describing programs and associated costs that are eligible to receive funding from the species conservation trust fund; and

(c) Section 24-33-111 (3), Colorado Revised Statutes, prior to obligating funds from the species conservation trust fund, the species conservation eligibility list is subject to modification and adoption through the passage of a bill.

SECTION 2. Eligibility list - approval. (1) The general assembly deems the recommended expenditures described in the species conservation eligibility list to be in the interest of the people of the state. The moneys specified in this subsection (1) shall be available in fiscal year 2004-05 and shall remain available for the designated purposes until they are fully expended:

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

(a) (I) The executive director of the department of natural resources is authorized to obligate and expend three hundred twenty-two thousand four hundred sixty-one dollars (\$322,461) from the operating account of the species conservation trust fund for the following activities, programs, and species in the following amounts:

	PROGRAM / SPECIES	AMOUNT
(A)	South Platte native fish: Study of ground water hydrology and impacts on summer habitat of state-listed fish species	\$ 80,000
(B)	Mountain plover recovery	\$ 120,000
(C)	Southwestern willow flycatcher, national environmental policy act review for habitat conservation plan	\$ 25,000
(D)	Preble's meadow jumping mouse trapping directed by the division of wildlife, utilizing the moneys reverted pursuant to sub-subparagraph (A) of subparagraph (II) of this subsection (1)	\$ 97,461
	Total operating account appropriation:	\$ 322,461

(II) Two hundred sixty-four thousand eight hundred seven dollars (\$264,807) shall revert to the operating account of the species conservation trust fund from the following activities, programs, and species:

	PROGRAM / SPECIES	AMOUNT
(A)	PM1 (2001 - 2002): Operations and maintenance moneys dedicated to assisting counties with Preble's meadow jumping mouse habitat conservation plan biology and technical assistance	\$ 97,461
(B)	PD2 (2002 - 2003): Prairie dog study financed by the division of wildlife through another fund	\$ 125,000
(C)	PGS (1999 - 2000): Prairie grassland species project completed under budget	\$ 9,999
(D)	PG2 (2002 - 2003): Prairie grassland species project completed under budget	\$ 32,347
	Total operating account reversion	\$ 264,807

(b) (I) The executive director of the department of natural resources is authorized to obligate and expend eight hundred twenty-two thousand one hundred eighty-seven dollars (\$822,187) from the capital account of the species conservation trust fund for the following activity, program, and species in the following amount:

PROGRAM / SPECIES	AMOUNT
Upper Colorado river endangered fish recovery program, including money reverted pursuant to subparagraph (II) of this paragraph (b)	\$ 822,187
Total capital account allocation	\$ 822,187

(II) One hundred twenty thousand dollars (\$120,000) shall revert to the capital account of the species conservation trust fund from the following activity, program, and species:

PROGRAM / SPECIES	AMOUNT
CA1 (2001 - 2002): Capital expenditure for plains minnows	\$ 120,000
Total capital account reversion	\$ 120,000

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 1, 2005