



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street
Denver, CO 80203

P (303) 866-3441
F (303) 866-4474

John Hickenlooper, Governor

Robert Randall, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Kirk Russell, P.E., Finance Section Chief

DATE: July 18-19, 2018 Board Meeting

AGENDA ITEM: 9. Emergency Dam Response Funding

Introduction

The Emergency Dam Repair Cash Fund was created in CRS 37-60-122.5 as available funding for “in the opinion of the state engineer, conditions of any dam or reservoir are so dangerous to the health and safety of life or property as not to permit time for issuance and enforcement of an order relative to construction, modification, maintenance, or restriction of storage, or the dam is threatened by any large flood, the state engineer may immediately employ remedial measures necessary to protect such life and property.” This is reflected in CRS 37-87-108.5.

CRS 37-60-122.5 states:

Emergency dam repair cash fund. There is hereby created in the state treasury the emergency dam repair cash fund. The state treasurer is hereby authorized and directed to transfer moneys from the Colorado water conservation board construction fund to the emergency dam repair cash fund in such amounts and at such times as determined by the Colorado water conservation board. Such transfers shall not exceed five hundred thousand dollars. The moneys in the emergency dam repair cash fund are hereby continuously appropriated to the Colorado water conservation board for the emergency repair of dams pursuant to section 37-87-108.5.*

All moneys collected by the state engineer pursuant to section 37-87-108.5 shall be transmitted to the state treasurer who shall credit such moneys to the Colorado water conservation board construction fund. All interest derived from the investment of moneys in the emergency dam repair cash fund shall be credited to the Colorado water conservation board construction fund. Any balance remaining in the emergency dam repair cash fund at the end of any fiscal year shall remain in the fund.

* The 2018 CWCB Projects Bill modified the amount from “fifty thousand dollars” to “five hundred thousand dollars”. This was primarily to allow a more reasonable amount of funding to respond to the potential need.

Staff Recommendation

Staff recommends the Board authorize the transfer of \$500,000, or as much as is needed to establish a \$500,000 balance as of July 1, 2018, from the Construction Fund to the Emergency Dam Repair Cash Fund which will remain available to the CWCB and the Division of Water Resources for its intended use.

