

SENATE FILE NO. SF0061

Omnibus water bill - planning.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to water development projects; authorizing
2 specified level I and level II studies; providing
3 appropriations; requiring reports; providing for the
4 reversion of unexpended funds; authorizing unobligated
5 funds to be used to complete other designated projects as
6 specified; providing an appropriation for the office of
7 water programs; and providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section** 1. W.S. 41-2-112(b)(iii) and
12 41-2-121(a)(ii)(E)(I) are amended to read:

13

14 **41-2-112. Wyoming water development program.**

15

1 (b) In developing financing recommendations under the
2 Wyoming water development program, the commission shall:

3
4 (iii) Recommend an allocation of project costs,
5 including expenditures of state funds for Level I
6 reconnaissance studies and Level II feasibility studies, to
7 be reimbursed by project beneficiaries and to be borne by
8 the state. Any allocation of project costs for Level I
9 reconnaissance studies and Level II feasibility studies to
10 be borne by the state shall not exceed ninety percent (90%)
11 of the total cost of the individual study provided that:

12
13 (A) If a Level I study proceeds to a Level
14 II study, the cost allocation amount to be reimbursed by
15 the project beneficiaries for the Level I study shall carry
16 over and apply towards the cost allocation amount to be
17 reimbursed by the project beneficiaries for the Level II
18 study; and

19
20 (B) If a Level I or Level II study proceeds
21 to a Level III construction project, the cost allocation
22 amount to be reimbursed by the project beneficiaries for a
23 Level I or Level II study shall carry over and apply

1 towards the loan or other funding sources requirement in
2 W.S. 41-2-121(a)(ii)(E)(I).

3

4 **41-2-121. Criteria for water development projects;**
5 **disclosure of personal interests by commission.**

6

7 (a) The water development commission shall establish
8 criteria for evaluation and administration of water
9 development projects. Criteria shall include but not be
10 limited to the following:

11

12 (ii) The commission's recommendation shall:

13

14 (E) Include financing methods subject to
15 the following:

16

17 (I) Any water development Level III
18 construction project may be financed by grants not to
19 exceed seventy-five percent (75%) of the total cost of the
20 project, with the remaining funding to come from a loan
21 through the commission or other funding sources and which
22 shall include any funding obligations carried over pursuant
23 to W.S. 41-2-112(b)(iii)(A) and (B);

1

2

[2020-2021 WATER PROGRAM]

3

[AUTHORIZED LEVEL I AND LEVEL II STUDIES]

4

5

Section 2. LEVEL I RECONNAISSANCE STUDIES - NEW

6

DEVELOPMENT. The following sums of money are appropriated

7

from water development account I, as created by W.S.

8

41-2-124(a)(i), to the water development commission to be

9

expended to conduct the following reconnaissance studies as

10

defined in W.S. 41-2-114. In developing recommendations for

11

2021 water development projects, the water development

12

commission shall give priority consideration to the

13

Sheridan Municipal Watershed Wildfire Hazard Mitigation

14

Assessment, Phase II project. Funds appropriated under this

15

section for a particular project which are in excess of the

16

actual amount necessary to complete the study may, subject

17

to the review of the select water committee, be expended by

18

the commission to complete the reconnaissance study for any

19

other project listed in this section. Appropriated funds

20

not obligated prior to July 1, 2023 shall revert to water

21

development account I. The commission shall submit a report

22

to the legislature on each of the following studies prior

23

to the 2022 legislative session:

1

2 [LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

3	<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
4			
5	Bridger Valley Regional Water		
6	Master Plan	Uinta County	\$100,000
7	Cody Water Master Plan	Park County	\$205,000
8	LaGrange Water Master Plan	Goshen County	\$114,000
9	Lower Shoshone Watershed Study	Big Horn and Park Counties	\$231,000
10	Pavillion Water Master Plan	Fremont County	\$135,000
11	Pinedale Water Master Plan	Sublette County	\$172,000
12	Shoshoni Water Master Plan	Fremont County	\$157,000
13	UW Water Research Program	Statewide	<u>\$243,888</u>
14	Total appropriation for Section 1		<u>\$1,357,888</u>

15

16 **Section 3. LEVEL II FEASIBILITY STUDIES - NEW**

17 DEVELOPMENT. The following sums of money are appropriated

18 from water development account I, as created by W.S.

19 41-2-124(a)(i), to the water development commission to be

20 expended to conduct the following feasibility studies as

21 defined in W.S. 41-2-114. Funds appropriated under this

22 section for a particular project which are in excess of the

23 actual amount necessary to complete the study may, subject

24 to the review of the select water committee, be expended by

25 the commission to complete the feasibility study for any

26 other project listed in this section. Appropriated funds

27 not obligated prior to July 1, 2023 shall revert to water

28 development account I. The commission shall submit a report

1 to the legislature on each of the following studies prior
2 to the 2022 legislative session:

3

4 [LEVEL II FEASIBILITY STUDIES - NEW DEVELOPMENT]

5	<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
6			
7	Happy Valley Water Supply	Lincoln County	\$59,000
8	Skyline ISD Water Supply	Teton County	\$93,000
9	South End Water Users ISD		
10	Transmission	Big Horn County	\$142,000
11	Total appropriation for Section 2		\$294,000

12

13 **Section 4. LEVEL I RECONNAISSANCE STUDIES -**

14 REHABILITATION. The following sums of money are

15 appropriated from water development account II, as created

16 by W.S. 41-2-124(a)(ii), to the water development

17 commission to be expended to conduct the following

18 reconnaissance studies as defined in W.S. 41-2-114. Funds

19 appropriated under this section for a particular project

20 which are in excess of the actual amount necessary to

21 complete the study may, subject to the review of the select

22 water committee, be expended by the commission to complete

23 the reconnaissance study for any other project listed in

24 this section. Appropriated funds not obligated prior to

25 July 1, 2023 shall revert to water development account II.

26 The commission shall submit a report to the legislature on

1 each of the following studies prior to the 2022 legislative
2 session.

3

4 [LEVEL I RECONNAISSANCE STUDIES - REHABILITATION]

5	<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
6	Owl Creek ID Lucerne Master Plan	Hot Springs County	<u>\$170,000</u>
7	Total appropriation for Section 3		<u>\$170,000</u>

8
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10 **Section 5. LEVEL II FEASIBILITY STUDIES -**

11 **REHABILITATION.** The following sums of money are

12 appropriated from water development account II, as created

13 by W.S. 41-2-124(a)(ii), to the water development

14 commission to be expended to conduct the following

15 feasibility studies as defined in W.S. 41-2-114. Funds

16 appropriated under this section for a particular project

17 which are in excess of the actual amount necessary to

18 complete the study may, subject to the review of the select

19 water committee, be expended by the commission to complete

20 the feasibility study for any other project listed in this

21 section. Appropriated funds not obligated prior to July 1,

22 2023 shall revert to water development account II. The

23 commission shall submit a report to the legislature on each

24 of the following studies prior to the 2022 legislative

25 session.

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2 [LEVEL II FEASIBILITY STUDIES - REHABILITATION]

3	<u>PROJECT</u>	<u>LOCATION</u>	<u>APPROPRIATION</u>
4			
5	Highland Hanover ID Pump Station	Washakie County	\$75,000
6	LaPrele Irrigation District		
7	Rehabilitation, Phase II	Converse County	<u>\$650,000</u>
8	Total appropriation for Section 4		<u>\$725,000</u>

9

10 **Section 6.** There is appropriated one hundred
 11 seventy-five thousand dollars (\$175,000.00) to the Wyoming
 12 water development commission from water development account
 13 I, as created by W.S. 41-2-124(a)(i), to fund the office of
 14 water programs established under W.S. 41-2-125 for the
 15 period beginning July 1, 2020 and ending June 30, 2022.
 16 This appropriation shall not be transferred or expended for
 17 any other purpose and any unexpended, unobligated funds
 18 remaining from this appropriation shall revert as provided
 19 by law on June 30, 2022.

20

21 **Section 7.** This act is effective immediately upon
 22 completion of all acts necessary for a bill to become law
 23 as provided by Article 4, Section 8 of the Wyoming
 24 Constitution.

25

26 (END)