

ORIGINAL SENATE  
FILE NO. 0082

ENROLLED ACT NO. 26, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
2014 BUDGET SESSION

AN ACT relating to the Wyoming Wildlife and Natural Resource Funding Act; providing for funding of large projects under that act; specifying large projects approved for funding in 2014; amending funding and timing for specified previously approved large projects; requiring specified conservation easements to include the state of Wyoming as a third party beneficiary as specified; requiring certifications regarding kickbacks and gifts; providing appropriations; providing for reversion of funds; and providing for an effective date.

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

**Section 1.** W.S. 9-15-901 through 9-15-911 are created to read:

ARTICLE 9  
2014 LARGE PROJECT FUNDING

**9-15-901. Rim Ranch Conservation Easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Rim Ranch conservation easement:

(i) Project sponsor: The Conservation Fund;

(ii) Project purpose: Permanent use restriction on approximately three thousand nine hundred forty-five (3,945) acres in Sublette county in order to:

(A) Preclude loss of habitat and key migration corridors for elk, deer, antelope, sage grouse, songbirds, amphibians and other species;

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(B) Secure habitat for sage grouse in a core population area; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million eight hundred seventy-three thousand two hundred fifty dollars (\$1,873,250.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant four hundred seventy-five thousand dollars (\$475,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board four hundred seventy-five thousand dollars (\$475,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-902. Yellowtail Fire Rehabilitation.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Yellowtail fire rehabilitation:

(i) Project sponsor: Shoshone Conservation District;

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(ii) Project purpose: Habitat restoration and conservation to address the effects of wildfire on an area of high value to multiple species of wildlife and recreational use on approximately one thousand five hundred (1,500) acres in Big Horn county in order to:

(A) Preclude loss of habitat for deer, amphibians, upland game birds, raptors and other species;

(B) Allow for continued agricultural production.

(iii) Project description: Rangeland enhancement;

(iv) Total project budget: Seven hundred sixty-two thousand dollars (\$762,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred thousand dollars (\$200,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred thousand dollars (\$200,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-903. Yellowstone Lake II.**

(a) Authorization is granted for funding of the following large project as provided in this section.

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(b) Project: Yellowstone Lake II:

(i) Project sponsor: Wyoming Trout Unlimited;

(ii) Project purpose: Removal of non-native fishes from a natural native fish area in order to:

(A) Prevent the loss or endangerment of native species which could create ecological and economic issues for a large portion of the state of Wyoming;

(B) Increase rearing of juvenile fish and allow seasonal habitats for spawning fish.

(iii) Project description: Aquatic habitat conservation;

(iv) Total project budget: One million four hundred seventy-four thousand four hundred twenty-six dollars (\$1,474,426.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor seven hundred seventy-one thousand five hundred seventy-six dollars (\$771,576.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred twenty-one thousand five hundred seventy-six dollars (\$621,576.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-904. Wapiti Ridge Conservation Easement.**

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(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Wapiti Ridge conservation easement:

(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Permanent use restriction on approximately two thousand eighty (2,080) acres in Platte county in order to:

(A) Preclude loss of habitat for mule deer, elk, sage grouse, antelope and other species; and

(B) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million two hundred fifty-two thousand dollars (\$1,252,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred thousand dollars (\$300,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred thousand dollars (\$300,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

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**9-15-905. Stateline Pike.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Stateline Pike:

(i) Project sponsor: Little Snake River Conservation District;

(ii) Project purpose: Permanent structures and irrigation improvements on the Little Snake River in Carbon county in order to:

(A) Preclude loss of habitat for Colorado River cutthroat trout and other aquatic species;

(B) Secure migration routes and crucial habitat for important fish species;

(C) Improve efficiency of irrigation systems; and

(D) Allow for continued agricultural production.

(iii) Project description: Stream habitat improvement;

(iv) Total project budget: One million two hundred fifty-five thousand dollars (\$1,255,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred forty-five thousand dollars

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(\$345,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred forty-five thousand dollars (\$345,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-906. Croonberg Ranch Conservation Easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Croonberg Ranch conservation easement:

(i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

(ii) Project purpose: Permanent use restriction on approximately six thousand six hundred forty (6,640) acres in Albany county in order to:

(A) Preclude loss of habitat for mule deer, antelope, songbirds and other species;

(B) Secure migration routes and crucial habitat for a variety of wildlife species; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

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(iv) Total project budget: Two million five hundred forty-eight thousand one hundred fifty dollars (\$2,548,150.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor five hundred thousand dollars (\$500,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board five hundred thousand dollars (\$500,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-907. Platte River Casper II.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Platte River Casper II:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Restoration and rehabilitation of the Platte River corridor along approximately fourteen (14) miles of habitat through the City of Casper, through vegetation treatment, instream structures and wetland habitat establishment in order to:

(A) Restore habitats for fish in a blue ribbon trout fishery;

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(B) Restore streamside habitats for songbirds, waterfowl and other riparian species; and

(C) Provide an enhanced opportunity for economic development associated with wildlife and natural resources.

(iii) Project description: Stream habitat enhancement and restoration;

(iv) Total project budget: Eleven million three hundred eighty-seven thousand five hundred seventy-six dollars and two cents (\$11,387,576.02);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two million dollars (\$2,000,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two million dollars (\$2,000,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-908. Table Mountain Water II.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Table Mountain Water II:

(i) Project sponsor: Wyoming Game and Fish Commission;

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(ii) Project purpose: Water development and management of wetland habitats on approximately three hundred ninety-five (395) acres in Goshen county in order to:

(A) Enhance aquatic habitats and nesting areas for waterfowl and upland game birds;

(B) Maintain and increase vital migration habitat for waterfowl; and

(C) Maintain irrigation efficiency for landowners in the area.

(iii) Project description: Water development and aquatic habitat improvement;

(iv) Total project budget: Nine hundred twenty-three thousand eight hundred seventy dollars (\$923,870.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred twenty-four thousand seven hundred dollars (\$324,700.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred sixty-four thousand dollars (\$264,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-909. Wyoming Range Mule Deer Habitat.**

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(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Wyoming Range Mule Deer Habitat:

(i) Project sponsor: Bureau of Land Management;

(ii) Project purpose: Habitat enhancement through chemical, mechanical, prescribed fire, livestock management and other means on approximately four hundred thousand (400,000) acres in Sublette county in order to:

(A) Preclude loss of crucial habitat for mule deer and sage grouse and seasonal habitats for moose, elk and other species;

(B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

(C) Restore aspen and native shrub habitats essential to mule deer.

(iii) Project description: Terrestrial rangeland habitat enhancement;

(iv) Total project budget: Three million six hundred ninety-eight thousand three hundred ninety dollars (\$3,698,390.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor five hundred thousand dollars (\$500,000.00) for the purposes specified in this subsection;

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(vi) Appropriation: There is appropriated from the income account to the board five hundred thousand dollars (\$500,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-910. Harmony Diversion.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Harmony Diversion:

(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Improvement and restoration of river function on the Nowood River in Big Horn county in order to:

(A) Allow migration and passage of fish species in the main stem of the Nowood River;

(B) Improve and maintain irrigation efficiency; and

(C) Improve water quality by eliminating sediment discharge in the main stem of the Nowood River.

(iii) Project description: Stream habitat enhancement;

(iv) Total project budget: Two million dollars (\$2,000,000.00);

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(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor five hundred fifty thousand dollars (\$550,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board five hundred fifty thousand dollars (\$550,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**9-15-911. Purple Sage Ranch Conservation Easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Purple Sage Ranch conservation easement:

(i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

(ii) Project purpose: Permanent use restriction on approximately two thousand eight hundred (2,800) acres in Carbon county in order to:

(A) Preclude loss of habitat for mule deer, elk, antelope, songbirds and other species;

(B) Maintain important river and wetland habitats;

(C) Secure migration routes and crucial habitat for a variety of wildlife species; and

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(D) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million six hundred sixty-eight thousand one hundred fifty dollars (\$1,668,150.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred seventy-five thousand dollars (\$375,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred seventy-five thousand dollars (\$375,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2017.

**Section 2.** W.S. 9-15-201(b)(iv) through (vi) is amended to read:

**9-15-201. Wyoming wildlife and natural resource large project funding; 2007.**

(b) Project - Bates Creek Watershed Restoration:

(iv) Total project budget: ~~two million four hundred twenty-five thousand dollars (\$2,425,000.00)~~ Four million thirty-five thousand three hundred nine dollars

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(\$4,035,309.00) over an anticipated period of approximately sixteen (16) years;

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsors not to exceed ~~eight hundred sixty-seven thousand two hundred ninety three dollars (\$867,293.00) over a period of not more than three (3) years~~ one million one hundred sixty-two thousand eight hundred forty-three dollars (\$1,162,843.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred thousand dollars (\$300,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. In addition to any amounts appropriated prior to 2009, there is appropriated from the income account to the board two hundred sixty-seven thousand two hundred ninety-three dollars (\$267,293.00) or as much thereof as is necessary to carry out the purpose of this subsection. In addition to any amounts appropriated prior to 2010, there is appropriated from the income account to the board three hundred thousand dollars (\$300,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. In addition to any amounts appropriated prior to 2014, there is appropriated from the income account to the board two hundred ninety-five thousand five hundred fifty dollars (\$295,550.00) or as much thereof as is necessary to carry out the purposes of this subsection. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), unexpended and unobligated funds appropriated under this subsection shall ~~not lapse on June 30, 2012, but shall~~ revert to the income account on June 30, ~~2013~~ 2017.

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**Section 3.** Each conservation easement for which funding is authorized under Section 1 or 2 of this act shall include the state of Wyoming as a third party beneficiary with the right to enforce the terms of the agreement and, if the easement is transferred or extinguished, the right to recover the state's pro rata share of funds provided for the creation of the easement up to one hundred percent (100%) of the funds granted by the state for the creation of the easement.

**Section 4.** Before any distribution of funds is made pursuant to the appropriations authorized by Sections 1 and 2 of this act, the person receiving the funds shall certify that no gratuities, kickbacks, gifts, commissions, contingency fees or other considerations have been or will be made in connection with the appropriation or the associated grant made by the Wyoming wildlife and natural resource trust account board.

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**Section 5.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk