

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: May 12, 2010

Board Item: V-E-3

2010 ASSESSMENT TO SOUTH PLATTE WATER RELATED ACTIVITIES PROGRAM, INC. IN SUPPORT OF PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

Action by Consent

Action

Information

On September 27, 2006, U.S. Secretary of the Interior Dirk Kempthorne signed the Record of Decision for the Final Environmental Impact Statement on the Platte River Recovery Implementation Program ("Program"). The Governors of the States of Wyoming, Colorado and Nebraska signed the document on January 1, 2007 initiating the official start of the Program. The Program is designed to allow existing and future water use to continue in a way that protects the endangered species. If the Program is not successful, existing water uses can be negatively impacted and the federal permitting of water supply projects in the Platte River basin will become much more difficult.

The monetary cost of the Program is estimated at \$317 Million (2005). In addition to monetary contributions, the three States must contribute water and land to the Program. The total cost of the Program (monetary, water, and land contributions) is shared equally by the United States and the three States (50% federal/50% states). Colorado is responsible for 40% of the States' share. Federal legislation to fund the United States' portion of the Program was approved by the full Senate on April 10, 2008.

The South Platte Water Related Activities Program, Inc. ("SPWRAP") is a Colorado nonprofit corporation established by Colorado water users for the purpose of representing water users' interests in the Program. Becoming a member and paying an assessment to SPWRAP is also the only way a Colorado water user can obtain the regulatory benefits provided by the Program. The funds generated by the assessments are used to help the State meet its obligations under the Program. As long as the State meets its Program obligations, members of SPWRAP are protected.

Denver Water was assessed and paid \$556,593.60 to SPWRAP in 2009. Because of higher than expected State funding for this effort all assessments have been reduced this year. In Denver Water's case, our 2010 assessment was reduced to \$418,266.00. Based on previous assessment, Staff included \$560,000 in both the 2010 budget and in each year of the 10-year Capital Plan. Because of the lower assessment this year, the 2011 budget and the 10-year Capital Plan will be adjust accordingly.

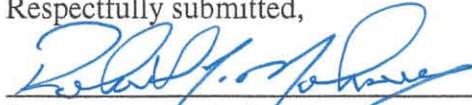
Recommendation: It is recommended that the Board approve the payment of \$418,266.00 to SPWRAP for 2010.

INITIATED BY:



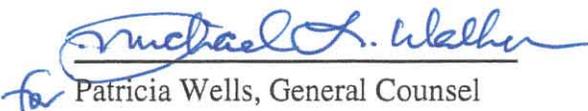
Dave Little, Director of Planning

Respectfully submitted,



Bob Mahoney, Acting Manager

APPROVED AS TO FORM:



Patricia Wells, General Counsel