

ORIGINAL SENATE
FILE NO. SF0044

ENROLLED ACT NO. 47, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL 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 2015; 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. 9-15-1001 through 9-15-1005 are created to read:

ARTICLE 10
2015 LARGE PROJECT FUNDING

9-15-1001. Beaumee/Heward Ditch.

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

(b) Project: Beaumee/Heward Ditch:

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

(ii) Project purpose: Restoration of meadows and irrigation systems on nine hundred (900) acres in Carbon county in order to:

(A) Enhance habitat and key winter ranges for elk, deer and moose;

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(B) Stabilize habitat and return water flows on approximately seven (7) miles of Wagonhound Creek; and

(C) Maintain or increase forage quantity and quality in an area of high importance to big game species.

(iii) Project description: Water development;

(iv) Total project budget: One million four hundred thirty-three thousand five hundred dollars (\$1,433,500.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant four hundred thousand dollars (\$400,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board four hundred thousand dollars (\$400,000.00) 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, 2018.

9-15-1002. Neonatal Mule Deer II.

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

(b) Project: Neonatal Mule Deer II:

(i) Project sponsor: University of Wyoming;

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(ii) Project purpose: Research reproduction and recruitment of juvenile mule deer in the Wyoming range in order to:

(A) Determine the causes of loss or lack of retention of neonatal and juvenile deer;

(B) Focus funding and action on habitat enhancement and management of mule deer that will directly address causal factors to loss or lack of retention of juvenile deer.

(iii) Project description: Applied research and habitat assessment;

(iv) Total project budget: Four hundred eighty-nine thousand four hundred sixty-one dollars (\$489,461.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred seventy-nine thousand dollars (\$279,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board one hundred thirty-one thousand dollars (\$131,000.00) 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, 2018.

9-15-1003. Bolton Creek III.

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

(b) Project: Bolton Creek III:

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

(ii) Project purpose: Watershed stabilization and sediment reduction on a highly erodible landscape with drainage into the North Platte River south of Casper, Wyoming in order to:

(A) Provide habitat for beaver and other aquatic species;

(B) Reduce sediment loading into a high-quality wild trout fishery of importance to the state;

(C) Maintain late-season brooding areas for Greater Sage Grouse in a core population area.

(iii) Project description: Habitat enhancement;

(iv) Total project budget: Eight hundred fifty-five thousand six hundred forty-seven dollars (\$855,647.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred forty-two thousand five hundred dollars (\$242,500.00) for the purposes specified in this subsection;

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(vi) Appropriation: There is appropriated from the income account to the board eighty-six thousand five hundred dollars (\$86,500.00) 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, 2018.

9-15-1004. Little Snake River Fisheries.

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

(b) Project: Little Snake River Fisheries:

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

(ii) Project purpose: River stabilization, wetland creation, irrigation efficiency and fish passage on a highly valued fishery near Baggs, Wyoming in order to:

(A) Provide habitat for terrestrial and aquatic species;

(B) Reduce flooding and sediment deposition in areas where flooding is a high risk;

(C) Increase effective delivery of irrigation water while allowing fish migrational access to the full length of the river channel.

(iii) Project description: River restoration;

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(iv) Total project budget: One million eight hundred seventy-nine thousand one hundred five dollars (\$1,879,105.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred eleven thousand eight hundred thirty-two dollars (\$611,832.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred eleven thousand eight hundred thirty-two dollars (\$611,832.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2018.

9-15-1005. Little Laramie Conservation Easement.

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

(b) Project: Little Laramie Conservation Easement:

(i) Project sponsor: Rocky Mountain Elk Foundation;

(ii) Project purpose: Permanent deed restriction by conservation easement in order to:

(A) Maintain agricultural production and opportunity on high quality farm and ranch lands in Albany County;

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(B) Preclude loss of essential habitats for a wide variety of species including elk, deer, antelope, neotropical migrant songbirds, fish and amphibians; and

(C) Maintain effective stream function and water management on a major river in southeast Wyoming.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million six hundred fifty-three thousand dollars (\$1,653,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred forty thousand dollars (\$340,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred forty thousand dollars (\$340,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2018.

Section 2. Each conservation easement for which funding is authorized under section 1 of this act shall bind the parties thereto to an agreement which provides that the state of Wyoming is a third party beneficiary to the easement solely with the contingent right to enforce the terms of the easement if the grantee fails to enforce any of the terms of the easement. The agreement shall provide that if the easement is transferred for value, sold

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or extinguished without the consent of the Wyoming wildlife and natural resource trust account board, the state of Wyoming shall have the right to either take legal action to enforce the terms of the easement or to recover from the proceeds of the transfer for value, sale or extinguishment, the state's pro rata share of the proceeds based on the funds the state provided for the creation of the easement.

Section 3. Before any distribution of funds is made pursuant to the appropriations authorized by section 1 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 4. 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