

ORIGINAL SENATE
FILE NO. SF0077

ENROLLED ACT NO. 44, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 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 2019; specifying conservation easements shall include the state of Wyoming as a third party beneficiary; authorizing distributions from the Wyoming wildlife and natural resource trust income account for approved large projects; providing for reversion of funds; repealing statutes authorizing large projects that are completed; and providing for an effective date.

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

Section 1.

(a) As used in this section:

(i) "Board" means the Wyoming wildlife and natural resource trust account board created by W.S. 9-15-104;

(ii) "Income account" means the Wyoming wildlife and natural resource trust income account created by W.S. 9-15-103(b).

(b) Pursuant to the authority granted under W.S. 9-15-104(k) and subject to each recipient's certification under W.S. 9-15-103(r), authorization is granted for funding of the large projects provided for in subsections (c) through (m) of this section.

(c) Double Bar E Conservation Easement:

(i) Project sponsor: Jackson Hole Land Trust;

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(ii) Project purpose: Removal of residential development rights of approximately five hundred (500) acres in Sublette county in order to:

(A) Maintain key seasonal habitats for mule deer, elk, antelope and greater sage grouse;

(B) Maintain primary migration corridors for native ungulates;

(C) Maintain core population areas for greater sage grouse and other sagebrush obligate species;

(D) Conserve valuable riparian, wetland, grassland and intermediate shrubland ecotypes;

(E) Maintain agricultural production and opportunity on high quality farm and ranch lands.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million eighty thousand dollars (\$1,080,000.00);

(v) Project grant: The board is authorized to grant two hundred sixty thousand dollars (\$260,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred sixty thousand dollars (\$260,000.00) or as much thereof as is necessary to carry out the purposes of this subsection;

(vii) The conservation easement funded in part under this subsection shall provide that the state of Wyoming

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is a third party beneficiary to the easement as required by
W.S. 9-15-103(n).

(d) Big Fork Canal:

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

(ii) Project purpose: River restoration and
replacement of headgate structure on the Shoshone river near
Lovell to eliminate debris dams and assure delivery of water
to the Yellowtail habitat area and adjacent irrigators on
approximately one thousand (1,000) acres in Big Horn county
in order to:

(A) Maintain wetland habitats for mule deer,
white-tailed deer, turkey, pheasants, waterfowl and other
species;

(B) Maintain and enhance recreational
opportunities for hunters and fishermen on a highly used area
in northern Wyoming;

(C) Reduce the threat of infrastructure
failure and catastrophic flooding;

(D) Restore natural stream function on a
major waterway.

(iii) Project description: River restoration;

(iv) Total project budget: Eight hundred fourteen
thousand four hundred forty-five dollars (\$814,445.00);

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(v) Project grant: The board is authorized to grant three hundred twenty-five thousand dollars (\$325,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred twenty-five thousand dollars (\$325,000.00) or as much thereof as is necessary to carry out the purposes of this subsection.

(e) Richie Ranch Conservation Easement II:

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

(ii) Project purpose: Removal of residential development rights of approximately one thousand three hundred thirty (1,330) acres in Sublette county in order to:

(A) Maintain key seasonal habitats for mule deer, elk, antelope and greater sage grouse;

(B) Maintain primary migration corridors for native ungulates;

(C) Maintain core population areas for greater sage grouse and other sagebrush obligate species;

(D) Conserve valuable riparian, wetland, grassland and intermediate shrubland ecotypes;

(E) Maintain agricultural production and opportunity on high quality farm and ranch lands.

(iii) Project description: Conservation easement;

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(iv) Total project budget: Two million one hundred thirty-six thousand two hundred dollars (\$2,136,200.00);

(v) Project grant: The board is authorized to grant three hundred fifteen thousand dollars (\$315,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred fifteen thousand dollars (\$315,000.00) or as much thereof as is necessary to carry out the purposes of this subsection;

(vii) The conservation easement funded in part under this subsection shall provide that the state of Wyoming is a third party beneficiary to the easement as required by W.S. 9-15-103(n).

(f) Richie Ranch Conservation Easement III:

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

(ii) Project purpose: Removal of residential development rights of approximately two thousand six hundred eighty (2,680) acres in Sublette county in order to:

(A) Maintain key seasonal habitats for mule deer, elk, moose, native fish and greater sage grouse;

(B) Maintain primary migration corridors for native ungulates;

(C) Conserve valuable grassland, riparian and mountain shrubland ecotypes;

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(D) Maintain agricultural production and opportunity on high quality farm and ranch lands.

(iii) Project description: Conservation easement;

(iv) Total project budget: Three million one hundred seventy-eight thousand one hundred forty dollars (\$3,178,140.00);

(v) Project grant: The board is authorized to grant three hundred eighty-eight thousand dollars (\$388,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred eighty-eight thousand dollars (\$388,000.00) or as much thereof as is necessary to carry out the purposes of this subsection;

(vii) The conservation easement funded in part under this subsection shall provide that the state of Wyoming is a third party beneficiary to the easement as required by W.S. 9-15-103(n).

(g) Encampment River WYCO Dam:

(i) Project sponsor: Trout Unlimited;

(ii) Project purpose: Restoration of dam infrastructure and construction of a fish passage channel on the Encampment river in Carbon county in order to:

(A) Maintain migration and fish passage;

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(B) Restore irrigation infrastructure to maintain a major water delivery system in the Saratoga valley.

(iii) Project description: River restoration;

(iv) Total project budget: One million two hundred forty-three thousand dollars (\$1,243,000.00);

(v) Project grant: The board is authorized to grant two hundred twenty thousand dollars (\$220,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred twenty thousand dollars (\$220,000.00) or as much thereof as is necessary to carry out the purposes of this subsection.

(h) Dunham Ranch Conservation Easement:

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

(ii) Project purpose: Removal of residential development rights of approximately two thousand (2,000) acres in Sublette county in order to:

(A) Maintain key seasonal habitats for mule deer, elk, moose, native fish and greater sage grouse;

(B) Maintain primary migration corridors for native ungulates;

(C) Conserve valuable grassland, riparian and shrubland ecotypes;

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(D) Maintain agricultural production and opportunity on high quality farm and ranch lands;

(E) Maintain fisheries on four (4) miles of Cottonwood creek.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million seven hundred eighty thousand dollars (\$2,780,000.00);

(v) Project grant: The board is authorized to grant three hundred thirty-eight thousand dollars (\$338,000.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred thirty-eight thousand dollars (\$338,000.00) or as much thereof as is necessary to carry out the purposes of this subsection;

(vii) The conservation easement funded in part under this subsection shall provide that the state of Wyoming is a third party beneficiary to the easement as required by W.S. 9-15-103(n).

(j) Lower Swift Creek:

(i) Project sponsor: Trout Unlimited;

(ii) Project purpose: Restoration of stream channel and adjacent wetland habitats on Swift creek in Lincoln county in order to:

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(A) Maintain migration and fish passage for native cutthroat trout;

(B) Improve irrigation infrastructure to reduce erosion and loss of valuable farm and ranch lands;

(C) Reduce impacts to the Salt river fishery.

(iii) Project description: River restoration;

(iv) Total project budget: One million two hundred eighty-four thousand nine hundred twenty-seven dollars (\$1,284,927.00);

(v) Project grant: The board is authorized to grant two hundred thousand dollars (\$200,000.00) to the sponsor 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.

(k) Sublette Cheatgrass:

(i) Project sponsor: Sublette County Weed and Pest District;

(ii) Project purpose: Chemical, mechanical and other treatments of noxious weeds and grasses of the genus Bromus on approximately one hundred eighty thousand (180,000) acres in Sublette county in order to:

(A) Improve habitats for native wildlife species;

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(B) Reduce and eliminate the potential for catastrophic wildfire;

(C) Improve habitats for greater sage grouse in core population areas;

(D) Enhance rangelands for livestock use.

(iii) Project description: Invasive species elimination;

(iv) Total project budget: Two million four hundred sixty-five thousand five hundred ninety-five dollars (\$2,465,595.00);

(v) Project grant: The board is authorized to grant three hundred thousand dollars (\$300,000.00) to the sponsor 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.

(m) Gun Barrel Flats Conservation Easement:

(i) Project sponsor: Jackson Hole Land Trust;

(ii) Project purpose: Removal of residential development rights of approximately one hundred (100) acres in Teton county in order to:

(A) Maintain key seasonal habitats for moose, elk, mule deer and other wetland species;

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(B) Maintain primary migration corridors for native ungulates between the Absaroka and Teton ranges;

(C) Maintain aquatic resources and fisheries on the Buffalo Fork drainage;

(D) Conserve valuable riparian, wetland, grassland and intermediate shrubland ecotypes;

(E) Maintain agricultural production and economic opportunity on historic ranch lands.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million eight hundred thirty-one thousand five hundred forty dollars (\$2,831,540.00);

(v) Project grant: The board is authorized to grant three hundred thousand dollars (\$300,000.00) to the sponsor 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;

(vii) The conservation easement funded in part under this subsection shall provide that the state of Wyoming is a third party beneficiary to the easement as required by W.S. 9-15-103(n).

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(n) Unexpended and unobligated funds appropriated under this section shall revert to the income account on June 30, 2022.

Section 2. W.S. 9-15-201, 9-15-301 through 9-15-311, 9-15-401 through 9-15-410, 9-15-501 through 9-15-508, 9-15-601 through 9-15-614, 9-15-701 through 9-15-712, 9-15-801 through 9-15-817, 9-15-901 through 9-15-905, 9-15-909, 9-15-1001, 9-15-1003 and 9-15-1004 are repealed.

Section 3. 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