

# The Watershed Authority “Toolbox”

## A Legislative Work in Progress

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## ***Concerning Financing Options for Locally Controlled Watershed Authorities***

- Colorado's diverse watersheds present unique and varied challenges all designed to protect and enhance water quality within the watershed.
- Increasing interest in a watershed-based approach to water quality management has led to a number of local and regional initiatives in Colorado. The number and nature of these local and regional watershed initiatives is continually evolving.
- Local and regional watershed initiatives reflect a great diversity of organizational models and functional roles.
- The purpose of legislation creating a “toolbox” for local and regional watershed initiatives is to provide a diverse array of discretionary tools for initiatives to acquire capital for water quality improvement projects.

## *Watershed Authorities are Organized in Many Ways*

- A “Watershed Authority” or “Authority” to be defined in legislation is a watershed initiative with one or more of the following responsibilities:
  - Serving as the designated water quality management or planning agency for water quality for the area, pursuant to the federal Clean Water Act §208;
  - Responsible for implementing a total maximum daily load or state water quality control regulation for the area;
  - Coordinating the clean up or remediation of waters affected by floods, fire or contamination;
  - Conducting water quality monitoring for the area and developing and implementing watershed plans or water quality for the area; or
  - Overseeing water pollutant reductions and trades and offsets for pollutant’ s different sources, such as storm water, wastewater and non-point sources.

## *Optional and Discretionary “Tools” within a Toolbox*

- No particular revenue tool should be mandatory and the decision of which revenue tools to utilize should be determined solely by the local decision makers within a Watershed.
- A working list of the suggested list of financing options are:
  - Establish in cooperation with the Department of Natural Resources fees for state parks located in whole or in part within the authority boundaries;
  - Acceptance of gifts, grants, and donations from public, private, and not-for-profit sources;
  - Acceptance of funding derived from public sources to support the authority;
  - Imposition of mill levies on taxable property within the authority and the issuance of bonds;
  - Certificates of Participation;
  - Imposition of sales taxes; and
  - Establishment of service charges.

## *And Don't Forget*

- Any revenue tool – tax, fee or service charge - must be accomplished within statutory and constitutional requirements.
- Legislation should provide a method for both inclusion within a watershed and a process for exclusion.
- Establishing a Watershed Authority Board should account for the unique diversity of organizational models. However, it does seem that appointments to the Board or controlling authority for any Authority should ultimately be with the elected officials – county commissioners, city councilmembers, special district directors – within the watershed.