

HOUSE BILL NO. 6

INTRODUCED BY B. MCCHESENEY

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; PRIORITIZING GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Appropriations from natural resources projects state special revenue account. (1) There is appropriated from the natural resources projects state special revenue account established in 15-38-302 to the department of natural resources and conservation up to:

(a) \$100,000 to be used for emergency projects to be awarded over the course of the biennium;

(b) \$800,000 to be used for planning grants to be awarded by the department over the course of the biennium; AND

~~(c) \$300,000 to be used for irrigation development grants to be awarded by the department over the course of the biennium;~~

~~(d)(c) \$50,000 to be used for water project private grants to be awarded by the department over the course of the biennium; and~~

~~(e) \$180,000 to be used for development of the state water plan and inventory to be awarded by the department over the course of the biennium.~~

(2) There is appropriated from the natural resources projects state special revenue account established in 15-38-302 to the department of natural resources and conservation ~~\$5,780,000~~ \$6,260,000 that is available in the natural resources projects state special revenue account for grants to political subdivisions and local governments during the 2013 biennium. The funds in this section must be awarded by the department to the named entities for the described purposes and in the grant amounts set out in subsection (3), subject to the

1 conditions set forth in [sections 1 through 3] and the contingencies described in the renewable resource grant
 2 and loan program January 2011 report to the 62nd legislature. The legislature, pursuant to 85-1-605, approves
 3 the grants listed in subsection (3). Funds must be awarded up to the amounts approved in this section in the
 4 following order of priority until available funds are expended. Funds not accepted or used by higher-ranked
 5 projects must be provided for projects farther down the priority list or planning grants that would not otherwise
 6 receive funding. If at any time a grant sponsor determines a project will not begin before June 30, 2013, the
 7 sponsor shall notify the department of natural resources and conservation. After receiving notification, the
 8 department may revert the grant amount to the natural resources projects state special revenue account to make
 9 it immediately available for other projects. After all eligible projects are funded, remaining project funds may be
 10 used for any renewable resource program projects authorized under this section or for reclamation and
 11 development program projects authorized by the 62nd legislature in House Bill No. 7. With the exception of
 12 planning grants, projects that are funded by the reclamation and development grants program may not be funded
 13 under [sections 1 through 3].

14 (3) The following are the prioritized grant projects:

15 RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

16 Applicant/Project	Grant Amount
17 Department of Natural Resources and Conservation -- Water Resources Division	
18 (Hydropower Feasibility Study)	\$100,000
19 Sheridan, Town of	
20 (Wastewater System Improvements)	\$100,000
21 Deer Lodge, City of	
22 (Wastewater System Improvements)	\$100,000
23 Fergus Conservation District	
24 (Big Spring Creek Stream Restoration at the Machler Conservation Easement)	\$100,000
25 Department of Natural Resources and Conservation -- Trust Land Management Division	
26 (Smith Lake Dam Rehabilitation)	\$100,000
27 Culbertson, Town of	
28 (Wastewater System Improvements)	\$100,000
29 Upper and Lower River Road Water and Sewer District	
30 (Water Distribution and Wastewater Collection, Phase 4)	\$100,000

1	Beaverhead Conservation District	
2	(Poindexter Slough Fishery Enhancement)	\$100,000
3	Pondera Conservation District	
4	(C Canal Rehabilitation)	\$100,000
5	Buffalo Rapids Project - District 1	
6	(System Improvements - Lateral 26.4)	\$100,000
7	Pondera Conservation District	
8	(Wasteway Rehabilitation and Water Quality Improvement)	\$100,000
9	Flathead County	
10	(Bigfork Storm Water System Improvements)	\$100,000
11	Hebgen Lake Estates Water and Sewer District	
12	(Wastewater System Improvements)	\$100,000
13	Harlem, City of	
14	(Wastewater System Improvements)	\$100,000
15	Polson, City of	
16	(Water System Improvements)	\$100,000
17	Amsterdam-Churchill Sewer District No. 307	
18	(Wastewater System Improvements)	\$100,000
19	Stanford, Town of	
20	(Water System Improvements)	\$100,000
21	Montana Department of Fish, Wildlife, and Parks	
22	(Chadbourne Diversion Dam Repair and Selective Fish Passage Retrofits)	\$99,500
23	Helena Valley Irrigation District	
24	(Pump No. 2 Rehabilitation)	\$100,000
25	Belt, Town of	
26	(Water System Improvements)	\$100,000
27	Sun Prairie Village County Water and Sewer District	
28	(Water System Improvements)	\$100,000
29	Fort Belknap Indian Community	
30	(Fort Belknap Indian Community Water Conservation)	\$100,000

1	Sweet Grass County Conservation District	
2	(Big Timber Creek Channel Stabilization)	\$99,998
3	Sidney Water Users Irrigation Districts 1 and 2	
4	(Increasing Irrigation Efficiency: Districts 1 and 2, Phase 3)	\$100,000
5	Sidney Water Users Irrigation District	
6	(Increasing Irrigation Efficiency: District 5, Lateral 2)	\$100,000
7	Clinton Irrigation District	
8	(Schoolhouse Lateral Pipeline Conversion)	\$100,000
9	East Bench Irrigation District	
10	(Main Canal Check Structure Rehabilitation)	\$100,000
11	Lower Musselshell Conservation District	
12	(Lower Musselshell Delphia Melstone Irrigation Structure Rehabilitation Lining)	\$100,000
13	Madison Conservation District	
14	(South Meadow Creek Water Efficiency)	\$100,000
15	Confederated Salish and Kootenai Tribes	
16	(Jocko Upper S Canal Lining)	\$100,000
17	Malta Irrigation District	
18	(Dodson North Canal Siphons Replacement)	\$100,000
19	Roberts Carbon County Water and Sewer District	
20	(Roberts Wastewater System Improvements)	\$100,000
21	Chippewa Cree Tribe of the Rocky Boy's Reservation	
22	(Dry Fork Farms Irrigation Enhancement)	\$97,429
23	Flathead Joint Board of Control	
24	(Jocko Upper J Canal Diversion Structure)	\$100,000
25	Lockwood Irrigation District	
26	(Intake Canal Spillway Replacement)	\$100,000
27	Glendive, City of	
28	(Glendive Floodplain Feasibility Study)	\$100,000
29	Fort Shaw Irrigation District	
30	(Water Quality and Quantity Improvements)	\$100,000

1	Department of Natural Resources and Conservation -- Water Resources Division	
2	 (East Fork Rock Creek Diversion and Fish Screen)	\$100,000
3	Daly Ditches Irrigation District	
4	(Hedge Canal Improvement)	\$100,000
5	Gallatin Gateway County Water and Sewer District	
6	(Wastewater System Improvements)	\$100,000
7	Greenfields Irrigation District	
8	(Big Coulee Wastewater and Water Quality)	\$100,000
9	Park Conservation District	
10	(Park-Branch Paradise Canal Water Efficiency)	\$100,000
11	Huntley Project Irrigation District	
12	(Lower Canal Seepage Lining)	\$100,000
13	Anaconda-Deer Lodge County	
14	(Systemwide Water Meter Installation)	\$100,000
15	Fairfield, Town of	
16	(Water System Improvements)	\$100,000
17	Fort Peck Tribes	
18	(Lateral L-2M Rehabilitation)	\$100,000
19	Hardin, City of	
20	(Water System Improvements)	\$100,000
21	Bitter Root Irrigation District	
22	(Siphon 1 Improvement, Phase 2)	\$100,000
23	North Havre County Water District	
24	(Water System Improvements)	\$100,000
25	Roundup, City of	
26	(Musselshell Watershed Sustainable Irrigation Management Program)	\$60,000
27	Department of Natural Resources and Conservation -- Water Resources Division	
28	(Clark Fork River Basin Task Force)	\$32,000
29		<u>\$63,000</u>
30	Green Mountain Conservation District	

1	(Tuscor Creek Restoration)	\$84,778
2	Lewistown, City of	
3	(East Fork Dam Repair)	\$100,000
4	Crow Tribe	
5	(Crow Agency Water System Improvements, Phase 4A)	\$100,000
6	Hill County Water District	
7	(Water System Improvements)	\$100,000
8	Roundup, City of	
9	(Water System Improvements)	\$100,000
10	Kevin, Town of	
11	(Water System Improvements, Phase 3)	\$100,000
12	LaCasa Grande Water and Sewer District	
13	(Wastewater System Improvements)	\$100,000
14	Whitefish, City of	
15	(Haskill Basin Water Conservation and Preservation)	\$100,000
16	Ravalli County	
17	(LiDAR Mapping for Flood Hazard Identification, Phase 3)	\$75,000
18	Lockwood Water and Sewer District	
19	(Wastewater System Improvements)	\$100,000
20	<u>MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS</u>	
21	<u>(CHADBOURNE DIVERSION DAM REPAIR AND SELECTIVE FISH PASSAGE RETROFITS)</u>	<u>\$99,500</u>
22	<u>DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION--WATER RESOURCE DIVISION</u>	
23	<u>(EAST FORK ROCK CREEK DIVERSION AND FISH SCREEN)</u>	<u>\$100,000</u>
24	Teton Conservation District	
25	(Eureka Reservoir Improvements)	\$100,000
26	East Helena, City of	
27	(Wastewater System Improvements)	\$100,000
28	Missoula County	
29	(Spring Meadows Sewer)	\$100,000
30	Missoula County	

1	(Missoula County LiDAR Mapping)	\$50,000
2	Department of Natural Resources and Conservation -- Water Resources Division	
3	(Martinsdale Supply Canal Headworks Rehabilitation)	\$98,688
4	Ravalli County Environmental Health	
5	(Bitterroot Valley Septic Systems Impact Evaluation Model, Phase 2)	\$73,745
6	Foy's Lakeside County Water and Sewer District	
7	(Water System Improvements)	\$100,000
8	Pablo/Lake County Water and Sewer District	
9	(Water System Improvements)	\$100,000
10	Cut Bank, City of	
11	(Water System Improvements, Phase 4)	\$100,000
12	University of Montana Natural Heritage Program	
13	(Wetland and Riparian Mapping for the Lower and Middle Musselshell Watersheds)	\$99,934
14	Bozeman High School, Montana School District No. 7	
15	(Mandeville Creek Restoration and Community Education)	\$100,000
16	White Sulphur Springs, City of	
17	(Water System Improvements)	\$100,000
18	Department of Natural Resources and Conservation -- Water Resources Division	
19	(Cooney and Deadman's Basin Automated Instrumentation)	\$100,000
20	Park Conservation District	
21	(Livingston Ditch Water Efficiency and Infrastructure Protection)	\$100,000
22	Carbon Conservation District	
23	(Whitehorse Canal Company -- River Bank Stabilization)	\$82,950
24	Ronan, City of	
25	(Storm water System Improvements)	\$100,000
26	Fromberg, Town of	
27	(Water System Improvements)	\$100,000
28	Jordan, Town of	
29	(Water System Improvements)	\$100,000
30	Lower Yellowstone Irrigation Project Board of Control	

1	(Lower Yellowstone On-Farm Water Conservation Measures)	\$100,000
2	Butte-Silver Bow Consolidated City-County Government	
3	(Big Hole River Pump station Rehabilitation)	\$100,000
4	Manhattan, Town of	
5	(Water System Improvements)	\$100,000
6	North Powell Conservation District	
7	(Blackfoot Irrigation Efficiency)	\$60,000
8	Kalispell, City of	
9	(Woodland Park Pond Remediation)	\$100,000
10	Department of Natural Resources and Conservation -- Water Resources Division	
11	(StreamStats Interactive Web Map Application)	\$100,000
12	Libby, City of	
13	(Wastewater Collection System and Treatment Facility Upgrades)	\$100,000
14	Toston Irrigation District	
15	(Crow Creek Pumping Plant Rehabilitation)	\$100,000
16	Em-Kayan Water and Sewer District	
17	(Water System Improvements)	\$100,000
18	Gallatin County Solid Waste District	
19	(Logan Landfill Waste-to-Energy Feasibility Study)	\$100,000
20	Hill County Conservation District	
21	(Milk River Basin Riparian and Hydrology Restoration)	\$54,245
22	Brady County Water and Sewer District	
23	(Water System Improvements)	\$100,000
24	Lincoln Conservation District	
25	(Sinclair Creek Watershed Improvement)	\$100,000
26	Tin Cup Water and Sewer District	
27	(Tin Cup Lake Dam Improvements)	\$94,638
28	Melrose Water and Sewer District	
29	(Wastewater System Improvements)	\$100,000
30	Augusta Water and Sewer District	

1	(Wastewater System Improvements)	\$100,000
2	Target Range Water and Sewer District	
3	(Replacing Obsolete Septic Systems)	\$100,000
4	Carbon Conservation District	
5	(Pleasant Valley Canal Rehabilitation)	\$100,000
6	Troy, City of	
7	(Water System Improvements, Phase 3)	\$100,000
8	Department of Natural Resources and Conservation -- Water Resources Division	
9	(Water Resource Survey Framework)	\$71,000
10	University of Montana	
11	(Developing Wolf Population Monitoring Techniques to Advance Management	
12	and Conservation of Wildlife in Montana)	\$100,000
13	Lockwood Area/Yellowstone County Water and Sewer District	
14	(Water Treatment Plant Clearwell Addition)	\$100,000
15	Eureka, Town of	
16	(Wastewater System Upgrade and Expansion)	\$100,000
17	Joliet, Town of	
18	(Water System Improvements)	\$100,000
19	University of Montana	
20	(An Experimental Assessment of the Ecological and Social Dimensions of	
21	Human-Bear Conflict)	\$99,067
22	Bigfork County Water and Sewer District	
23	(Water Supply and Transmission Main Improvements)	\$100,000
24	Park County	
25	(Shields River Surface and Groundwater Analysis, Planning and	
26	Long-Range Policy Formulation)	\$81,192
27	Petroleum County Conservation District	
28	(Horse Creek Coulee Water Storage)	\$82,286
29	Shelby, City of	
30	(West Interceptor Water System)	\$100,000

1 Sidney, City of
 2 (Optimizing Water Development from the City of Sidney Well Field) \$100,000

3 Thompson Falls, City of
 4 (Transmission Main Replacement) \$100,000

5 (4) Grant projects listed in subsection (3) are eligible for a loan up to the amounts recommended in
 6 subsection (3) in lieu of a grant. The authorization for the loan is contained in House Bill No. 8.

7 (5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for
 8 purposes of encumbering the funds within the 2013 biennium pursuant to 17-7-302.

9
 10 **NEW SECTION. Section 2. Conditions of grants.** Disbursement of funds under [sections 1 through
 11 3] for grants is subject to the following conditions that must be met by project sponsors:

12 (1) approval of a scope of work and budget for the project by the department of natural resources and
 13 conservation. Changes in the project scope of work or budget that reduce the public or natural resource benefits
 14 as presented in department reports and applicant testimony to the 62nd legislature may result in the proportional
 15 reduction in grant amount.

16 (2) satisfactory completion of conditions described in the recommendation section of the project narrative
 17 in the renewable resource grant and loan program project recommendations and biennium report submitted to
 18 the 62nd legislature for the 2013 biennium or, in the case of emergency, irrigation development, and private grant
 19 and planning grant applications, of conditions specified at the time of written notification of approved grant
 20 authority;

21 (3) execution of a grant agreement with the department; and

22 (4) accomplishment of other specific requirements considered necessary by the department to
 23 accomplish the purpose of the grant as evidenced from the application to the department or from the proposal
 24 to the legislature.

25
 26 **NEW SECTION. Section 3. Appropriations established.** For any entity of state government that
 27 receives a grant under [sections 1 and 2], an appropriation is established for the amount of the grant listed in
 28 [section 1(3)]. Grants to entities from prior biennia are reauthorized for completion of contract work.

29
 30 **NEW SECTION. Section 4. Review of previously authorized grants.** Recipients of renewable

1 resource grants authorized by previous legislatures that have not completed startup conditions must be notified
2 by the department of natural resources and conservation that the legislature, at the next regular session, will
3 review renewable resource grants to determine if the commitment of the renewable resource grant should be
4 withdrawn.

5
6 **NEW SECTION. Section 5. Notification to tribal governments.** The secretary of state shall send a
7 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
8 Chippewa tribe.

9
10 **NEW SECTION. Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are severable
11 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
12 remains in effect in all valid applications that are severable from the invalid applications.

13
14 **NEW SECTION. Section 7. Effective date.** [This act] is effective July 1, 2011.

15 - END -