

1 HOUSE BILL NO. 7

2 INTRODUCED BY T. BELCOURT

3 BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE

4 OFFICE OF BUDGET AND PROGRAM PLANNING

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL
7 RESOURCES AND CONSERVATION FOR GRANTS FOR DESIGNATED PROJECTS UNDER THE
8 RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING GRANTS AND AMOUNTS;
9 ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING AN EFFECTIVE DATE."

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

12
13 **NEW SECTION. Section 1. Appropriations for reclamation and development grants.** (1) There is
14 appropriated to the department of natural resources and conservation from the natural resources projects state
15 special revenue account established in 15-38-302 up to \$800,000 to be used for planning reclamation and
16 development grant projects to be awarded by the department over the course of the 2013 biennium.

17 (2) The amount of ~~\$6,049,000~~ \$5,883,800 is appropriated to the department of natural resources and
18 conservation from the natural resources projects state special revenue account from funds allocated for the
19 purpose of making reclamation and development grants over the course of the 2013 biennium.

20 (3) The funds appropriated in subsection (2) must be awarded by the department to the entities listed in
21 [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions provided
22 in [sections 2 through 4].

23
24 **NEW SECTION. Section 2. Approved grants and projects.** (1) The legislature approves the grants
25 listed in subsection (2), in the order of priority as indicated within the following list of projects and activities. If the
26 conditions in [sections 4 and 5] are met, funds must be awarded up to the amounts approved in this section.
27 Funds not accepted by grantees or funds not used by higher-ranked projects and activities must be offered for
28 projects and activities farther down the priority list that would not otherwise receive funding. If at any time a grant
29 sponsor determines a project will not begin before June 30, 2013, the sponsor shall notify the department of
30 natural resources and conservation. After receiving notification, the department may revert the grant amount to

1 the natural resources projects state special revenue account to make it immediately available for other projects.
 2 After all eligible projects are funded, any remaining project funds may be used for reclamation and development
 3 planning grants authorized under [section 1] or grant programs authorized by the 62nd legislature in House Bill
 4 No. 6. Descriptions of the various projects and activities and specific conditions established for each project and
 5 activity are contained within the department of natural resources and conservation's reclamation and development
 6 grants program report to the 62nd legislature for the 2013 biennium.

7 (2) The following are the grants program prioritized projects and activities:

8 Applicant/Project	Grant Amount
9 Montana Board of Oil and Gas Conservation	
10 (Eastern District Orphaned Well Plug and Abandonment and Site Restoration)	\$300,000
11 (North/Eastern District Orphaned Well Plug and Abandonment and Site Restoration)	\$300,000
12 Ruby Valley Conservation District	
13 (Alder Gulch - Phase I Improvements)	\$300,000
14 Montana Department of Environmental Quality	
15 (Forest Rose Mine and Mill Site Reclamation)	\$300,000
16 Montana Department of Environmental Quality	
17 (Lily/Orphan Boy Mine Reclamation)	\$300,000
18 Sanders County	
19 (Managing Aquatic Invasive Plant Species to Protect Montana's Water Resources)	\$300,000
20 Montana Department of Fish, Wildlife, and Parks	
21 (Big Spring Creek PCB Remediation)	\$300,000
22 Montana Department of Natural Resources and Conservation	
23 (St. Mary and Milk River Basins Water Management)	\$250,000
24 Montana Department of Environmental Quality	
25 (Sand Coulee Public Water Supply Restoration)	\$300,000
26 Pondera County	
27 (Pondera County Oil & Gas Well Plug & Abandon)	\$100,000
28 Teton County	
29 (Teton County Oil and Gas Well Plug and Abandon)	\$60,000
30 Fort Peck Tribes	

1	(Reclamation of the Philip Red Eagle 2-25 Salt Water Disposal Well)	\$254,782
2	Montana Board of Oil and Gas Conservation	
3	(Southern District Orphaned Lease Battery Site Restoration)	\$200,000
4	Shelby, City of	
5	(Reclamation of Shelby Refinery)	\$300,000
6	Missoula County	
7	(Ninemile Creek Mining District - Phase II)	\$228,345
8	Montana Department of Environmental Quality	
9	(Zortman and Landusky Mines Source Control Prioritization Evaluation)	\$300,000
10	Missoula, City of	
11	(Missoula Sawmill Site Wood Waste Reclamation)	\$300,000
12	Butte-Silver Bow County	
13	(Butte Mining District: Reclamation and Protection Phase III)	\$300,000
14	Fergus County	
15	(Pentachlorophenol Cleanup)	\$300,000
16	Meagher County Conservation District	
17	(Thomas Creek Placer Surface Flow Enhancement and Stream Stabilization)	\$162,797
18	Montana Department of Environmental Quality	
19	(Beal Mountain Mine Pit Run On Controls and Pond Removal)	\$300,000
20		<u>\$134,800</u>
21	Crow Tribe	
22	(Little Bighorn River Restoration)	\$300,000
23	Richland County Conservation District	
24	(Lower Yellowstone River Bank Stabilization)	\$293,078
25	Montana Department of Environmental Quality	
26	(Landusky Mine Clarifier Construction)	\$300,000
27	Montana Department of Fish, Wildlife, and Parks	
28	(Impacts of Energy Development on Mule Deer)	\$300,000
29	Anaconda-Deer Lodge County	
30	(Anaconda Superfund Remediation Trails Program)	\$300,000

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

3
 4 NEW SECTION. Section 3. Coordination of reverted funds from specific projects TERMINATION OF
 5 PREVIOUS PROJECT -- APPROPRIATION. The department of natural resources and conservation is authorized to
 6 ~~expend all remaining funds up to \$300,000, available by termination~~ APPROPRIATION FOR AND AUTHORIZATION OF
 7 the department of environmental quality Frohner mine reclamation project established in section 2, Chapter 308,
 8 Laws of 2005, ~~to implement measures~~ ARE TERMINATED. FOR THE 2013 BIENNIUM, THE AMOUNT OF \$300,000 IS
 9 APPROPRIATED TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION to control invasive aquatic species
 10 in state waters.

11
 12 NEW SECTION. Section 4. Coordination of fund sources for grants program projects. With the
 13 exception of planning grants, a sponsor of a grants program project who has applied for a grant for the same
 14 project under both the reclamation and development grants program and the renewable resource grant and loan
 15 program may not receive duplicate funding.

16
 17 NEW SECTION. Section 5. Conditions of grants. Disbursement of grant funds under [sections 1
 18 through 3] is subject to the following conditions that must be met by the project sponsor:

19 (1) A scope of work and budget for the project must be approved by the department of natural resources
 20 and conservation. Reduction in a scope of work or budget may not affect priority activities or improvements.

21 (2) The project sponsor shall show satisfactory completion of conditions described in the recommendation
 22 section of the project narrative of the reclamation and development grants program report to the legislature for
 23 the 2013 biennium.

24 (3) An agreement between the department and the project sponsor must be executed in a timely manner,
 25 taking into consideration any changed conditions or circumstances that govern the administration and
 26 disbursement of funds.

27 (4) Any other specific requirements considered necessary by the department must be met to accomplish
 28 the purpose of the grant as evidenced from the application to the department or as defined by the legislature.

29
 30 NEW SECTION. Section 6. Other appropriations. For any entity that receives a grant under [sections

1 1 through 3], an appropriation is established upon award of the grant by the department of natural resources and
2 conservation. Grants to entities from prior biennia are reauthorized for completion of contract work.

3
4 NEW SECTION. **Section 7. Notification to tribal governments.** The secretary of state shall send a
5 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
6 Chippewa tribe.

7
8 NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2011.

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