

HOUSE BILL NO. 6

INTRODUCED BY R. COOK

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; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO IMPLEMENT COMPACTS FOR THE BLACKFEET TRIBE AND THE FORT BELKNAP INDIAN COMMUNITY OF THE FORT BELKNAP RESERVATION; PRIORITIZING PROJECT GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; PROVIDING FOR A GENERAL FUND TRANSFER; PROVIDING A TRANSFER FROM THE ORPHAN SHARE ACCOUNT; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Appropriations for renewable resource grants. (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~~ \$350,000 to be used for emergency projects AS FOLLOWS:

(i) \$100,000 FOR EMERGENCY PROJECTS to be awarded by the department over the course of the biennium; AND

(ii) \$250,000 FOR THE TEN MILE/PLEASANT VALLEY SEWER DISTRICT;

(b) \$1,062,000 to be used for planning grants to be awarded by the department over the course of the biennium;

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

(d) \$100,000 to be used for water project private grants to be awarded by the department over the course of the biennium;

(e) \$200,000 to be used for development of the state water plan; and



- 1 (f) \$200,000 to be used for grants to build organizational capacity; ~~AND~~
- 2 (g) \$1,273,686 TO BE USED FOR FIVE GRANTS TO JEFFERSON COUNTY FOR THE FOLLOWING BIG
- 3 PIPESTONE/JEFFERSON RIVER SLOUGH WATERSHED RESTORATION PROJECTS:
- 4 (i) LANDOWNER #24 RANCH CHANNEL RESTORATION, \$760,500;
- 5 (ii) RIPARIAN MANAGEMENT PLAN DEVELOPMENT, \$15,500;
- 6 (iii) BEAVER MANAGEMENT PLANNING, \$21,240;
- 7 (iv) LANDOWNER #7 CHANNEL RESTORATION, \$299,596; AND
- 8 (v) JEFFERSON SLOUGH HYDROLOGY AND SEDIMENTOLOGY STATIONS, \$176,850;
- 9 (h) \$3 MILLION TO BE DEPOSITED IN THE PEOPLES CREEK MINIMUM FLOW ACCOUNT PROVIDED FOR IN
- 10 85-20-1007 FOR IMPLEMENTATION OF THE FORT BELKNAP INDIAN COMMUNITY-MONTANA WATER RIGHTS COMPACT; AND
- 11 (i) \$14 MILLION TO BE DEPOSITED IN THE BLACKFEET TRIBE WATER RIGHTS COMPACT INFRASTRUCTURE
- 12 ACCOUNT PROVIDED FOR IN 85-20-1505 FOR WATER-RELATED INFRASTRUCTURE PROJECTS WITHIN THE EXTERIOR
- 13 BOUNDARIES OF THE BLACKFEET INDIAN RESERVATION AS PROVIDED FOR IN 85-20-1505.

14 (2) There is appropriated from the natural resources projects state special revenue account established  
 15 in 15-38-302 to the department of natural resources and conservation ~~\$6,761,983~~ \$8,967,632 for grants to  
 16 political subdivisions and local governments during the biennium ending June 30, 2015. The funds referred to  
 17 in this subsection must be awarded by the department to the named entities for the described purposes and in  
 18 the grant amounts listed in subsection (4), subject to the conditions set forth in [sections 1 through 4] and the  
 19 contingencies described in the renewable resource grant and loan program January 2013 report to the 63rd  
 20 legislature. The legislature, pursuant to 85-1-605, approves the grants listed in subsection (4).

21 (3) Funds must be awarded up to the amounts approved in subsection (4) in the following order of  
 22 priority. Funds not accepted or used by these projects may be provided for any renewable resource programs  
 23 projects authorized under this section or for reclamation and development program projects authorized by the  
 24 63rd legislature in House Bill No. 7. If at any time a grant sponsor determines that a project will not begin before  
 25 June 30, 2015, the sponsor shall notify the department of natural resources and conservation.

26 (4) The following are the prioritized grant projects:

27 RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

28 Applicant/Project	Amount
29 Deer Lodge Valley Conservation District	
30 (Racetrack Water Users Association:	



1	Water Efficiency and Energy Conservation Project - Phase 1)	\$100,000
2	South Wind Water and Sewer District	
3	(South Wind Water and Sewer District Improvements)	\$100,000
4	Craig County Water and Sewer District	
5	(Craig Wastewater System Improvements)	\$100,000
6	Forsyth, City of	
7	(Forsyth Wastewater System Improvements)	\$100,000
8	Clinton Irrigation District	
9	(Clark Fork Diversion Rehabilitation Project)	\$100,000
10	Beaverhead County Conservation District	
11	(Swamp Creek Siphon Project)	\$100,000
12	Miles City, City of	
13	(Miles City Wastewater System Improvements, Phase 2)	\$100,000
14	Alberton, Town of	
15	(Alberton Wastewater Project)	\$100,000
16	Richland County	
17	(Richland County-Savage Wastewater System Improvements)	\$100,000
18	Dawson County	
19	(Dawson County-West Glendive Wastewater System Improvements)	\$100,000
20	Fort Benton, City of	
21	(Fort Benton Wastewater System Improvements)	\$100,000
22	Belt, Town of	
23	(Belt Wastewater System Improvements)	\$100,000
24	Vaughn Cascade County Water and Sewer District	
25	(Vaughn Wastewater System Improvements)	\$100,000
26	Malta Irrigation District	
27	(Dodson South Canal Head Gate Replacement Project)	\$100,000
28	Park County	
29	(Park County Fairgrounds Wastewater System Improvements)	\$100,000
30	Bitter Root Irrigation District	

1	(BRID Siphon 1 - Phase 4 Improvements Project)	\$100,000
2	Cut Bank, City of	
3	(Cut Bank Wastewater System Improvements)	\$100,000
4	Ward Irrigation District	
5	(Ward Irrigation District Lost Horse Creek/Ward Canal Improvements)	\$100,000
6	Glendive, City of	
7	(Glendive Wastewater System Improvements)	\$100,000
8	Harlowton, City of	
9	(Harlowton Wastewater System Improvements)	\$100,000
10	Lockwood Irrigation District	
11	(Lockwood ID Intake Canal Headgate Replacement Project)	\$100,000
12	Sweet Grass County Conservation District	
13	(Pioneer Ditch Company Irrigation Diversion Rehabilitation Project)	\$100,000
14	Glen Lake Irrigation District	
15	(Glen Lake Irrigation District Rolling Hills Section of the Main Canal Rehabilitation Project)	\$100,000
16	Hill County	
17	(Beaver Creek Dam Outlet Works Rehabilitation)	\$98,321
18	Winnett, Town of	
19	(Winnett Wastewater)	\$100,000
20	DNRC Water Resources Division	
21	(East Fork Rock Creek Main Canal Lining Project)	\$99,939
22	Boulder, City of	
23	(Boulder Wastewater System Improvements)	\$100,000
24	White Sulphur Springs, City of	
25	(White Sulphur Springs Wastewater Improvements Project - Phase 1)	\$100,000
26	Helena Valley Irrigation District	
27	(Helena Valley ID Pump Automation Project)	\$100,000
28	Buffalo Rapids Irrigation Project District 1	
29	(Buffalo Rapids 1 Lateral 20.6 Conversion Project)	\$100,000
30	Whitefish, City of	

1	(City of Whitefish Nutrient Reduction Plan)	\$100,000
2	Fort Peck Tribes	
3	(Fort Peck Tribes Phase 2 Lateral L-2M Rehabilitation Project)	\$100,000
4	Flathead County	
5	(Bigfork Stormwater Project - Phase IV)	\$100,000
6	Three Forks, City of	
7	(Three Forks Wastewater System Improvements)	\$100,000
8	Libby, City of	
9	(Libby Flower Creek Dam Water System Improvements)	\$100,000
10	Frenchtown Irrigation District	
11	(Frenchtown Irrigation District: Main Canal Lining Project)	\$99,978
12	DNRC Water Resources Division	
13	(Replacement Headgates for the Deadman's Basin Supply Canal Project)	\$100,000
14	DNRC Water Resources Division	
15	(Cooney Dam Outlet Canal Weir Replacement and Automated Instrumentation Project)	\$100,000
16	Deer Lodge Valley Conservation District	
17	(Kohrs and Manning Ditch Company Infrastructure Improvements)	\$100,000
18	DNRC Flathead Basin Commission	
19	(Aquatic Invasive Species Prevention Project, Aquatic Invasive Species Prevention Project)	\$100,000
20	Dutton, Town of	
21	(Dutton Water System Improvements)	\$100,000
22	Fairfield, Town of	
23	(Fairfield Wastewater System Improvements)	\$100,000
24	Buffalo Rapids Irrigation Project District 2	
25	(Buffalo Rapids 2 Terry Pump Station Discharge Line)	\$100,000
26	Choteau, City of	
27	(Choteau Wastewater System Improvements, Phase 2)	\$100,000
28	Daly Ditches Irrigation District	
29	(Daly Ditches Irrigation District Preservation and Conservation of Resources)	\$100,000
30	Toston Irrigation District	

1	(Toston ID Toston Canal Rehabilitation Project)	\$100,000
2	Gallatin County Conservation District	
3	(Darlington Creek Enhancement Project at Cobblestone Fishing Access)	\$100,000
4	Missoula County Conservation District	
5	(Missoula Conservation District Orchard	
6	Homes Ditch Company Intake Improvements Project)	\$100,000
7	Missoula Irrigation District	
8	(Missoula Irrigation District Water Conservation Project)	\$100,000
9	Valier, Town of	
10	(Valier Wastewater System Improvements)	\$100,000
11	Fort Belknap Indian Community	
12	(Fort Belknap Main Canal A Underdrain Rehabilitation Project)	\$100,000
13	Bozeman, City of	
14	(Bozeman Creek at Bogert Park Enhancement Project)	\$100,000
15	Hamilton, City of	
16	(Hamilton Wastewater System Improvements, Phase 2)	\$100,000
17	Lodge Grass, Town of	
18	(Lodge Grass Wastewater System Improvements)	\$100,000
19	<del>Montana State University</del>	
20	<del>— (Adopt-A-Reach: Empowering Community Stewardship)</del>	<del>\$64,462</del>
21	Pondera County Conservation District	
22	(Pondera County Canal and Reservoir Company KB2 Canal Rehabilitation Project)	\$100,000
23	Manhattan, Town of	
24	(Manhattan Water System Improvements)	\$100,000
25	Greenfields Irrigation District	
26	(Muddy Creek Wastewater and Erosion Reduction)	\$100,000
27	University of Montana	
28	(An Algae Bioremediation System for Acidic Industrial Wastewaters)	\$99,882
29	Black Eagle-Cascade County Water & Sewer District	
30	(Black Eagle Wastewater System Improvements)	\$99,407

1	Stevensville, City of	
2	(Stevensville Wastewater System Improvements, Phase 2)	\$100,000
3	Havre, City of	
4	(City of Havre Wastewater System Improvements)	\$100,000
5	Elk Meadows County Water District	
6	(Elk Meadows Ranchettes County Water District Water System Improvements)	\$100,000
7	Cascade, Town of	
8	(Cascade Water System Improvements)	\$100,000
9	Moore, Town of	
10	(Moore Wastewater System Improvements)	\$100,000
11	Sweet Grass County Conservation District	
12	(Big Timber Creek Channel Stabilization Project - Phase II)	\$100,000
13	Roundup, City of	
14	(Roundup Water System Improvements)	\$100,000
15	Garfield County Conservation District	
16	(CMR Range Monitoring Pilot Project)	\$99,994
17	<u>JEFFERSON VALLEY CONSERVATION DISTRICT</u>	
18	( <u>JEFFERSON CANAL HEADGATE IMPROVEMENTS</u> )	<u>\$100,000</u>
19	<u>PHILIPSBURG, TOWN OF</u>	
20	( <u>PHILIPSBURG WATER SYSTEM IMPROVEMENTS</u> )	<u>\$100,000</u>
21	<u>CARBON COUNTY CONSERVATION DISTRICT</u>	
22	( <u>PHASE 2, GROUND WATER SURFACE WATER INTERACTION, PHASE 2, GROUND WATER AND</u>	
23	<u>SURFACE WATER INTERACTION IN THE ROCK CREEK WATERSHED</u> )	<u>\$100,000</u>
24	<u>SUNNY HILLS SUBURBAN COUNTY WATER DISTRICT</u>	
25	( <u>SUNNY HILLS WSD WATER SYSTEM IMPROVEMENTS</u> )	<u>\$100,000</u>
26	<u>DRUMMOND, TOWN OF</u>	
27	( <u>DRUMMOND WASTEWATER SYSTEM IMPROVEMENTS</u> )	<u>\$100,000</u>
28	<u>BIG HORN COUNTY CONSERVATION DISTRICT</u>	
29	( <u>EVALUATING THE INFLUENCE OF IRRIGATION ON GROUND WATER QUALITY AND</u>	
30	<u>QUANTITY IN NORTHERN BIG HORN COUNTY</u> )	<u>\$100,000</u>

1	<u>JOLIET, TOWN OF</u>	
2	<u>(JOLIET WASTEWATER SYSTEM IMPROVEMENTS)</u>	<u>\$100,000</u>
3	<u>MALTA, CITY OF</u>	
4	<u>(MALTA WATER SYSTEM IMPROVEMENTS)</u>	<u>\$100,000</u>
5	<u>GALLATIN COUNTY</u>	
6	<u>(GRAYLING CREEK STREAM AND RIPARIAN RESTORATION AND PARADE REST GUEST RANCH</u>	
7	<u>IRRIGATION PROJECT)</u>	<u>\$75,000</u>
8	<u>LOWER MUSSELSHELL COUNTY CONSERVATION DISTRICT</u>	
9	<u>(EAST BREWER IRRIGATION CHECK STRUCTURE REHABILITATION AND SOUTHSIDE CANAL LINING)</u>	<u>\$100,000</u>
10	<u>MADISON COUNTY</u>	
11	<u>(MOORE'S CREEK CULVERT REPLACEMENT)</u>	<u>\$100,000</u>
12	<u>DNRC WATER RESOURCES DIVISION</u>	
13	<u>(2012 INFILL DRILLING AND PIEZOMETER INSTALLATION PROJECT: EAST FORK, FRED BURR,</u>	
14	<u>MARTINSDALE, MIDDLE CREEK, AND TONGUE RIVER DAMS)</u>	<u>\$95,580</u>
15	<u>HAMILTON, CITY OF</u>	
16	<u>(HAMILTON WATER SYSTEM IMPROVEMENTS, WELL 5)</u>	<u>\$100,000</u>
17	<u>PLEVNA, TOWN OF</u>	
18	<u>(PLEVNA WATER SYSTEM IMPROVEMENTS)</u>	<u>\$100,000</u>
19	<u>STILLWATER CONSERVATION DISTRICT</u>	
20	<u>(ASSESSING THE GROUND WATER RESOURCES OF THE BEDROCK AQUIFERS IN</u>	
21	<u>STILLWATER COUNTY)</u>	<u>\$100,000</u>
22	<u>SWEET GRASS COUNTY</u>	
23	<u>(GREYCLIFF REACH YELLOWSTONE RIVER STABILIZATION PROJECT)</u>	<u>\$100,000</u>
24	<u>EMKAYAN COUNTY WATER AND SEWER DISTRICT</u>	
25	<u>(EMKAYAN WSD WATER SYSTEM IMPROVEMENTS, PHASE 2)</u>	<u>\$100,000</u>
26	<u>CHINOOK, CITY OF</u>	
27	<u>(CHINOOK WATER SYSTEM IMPROVEMENTS)</u>	<u>\$100,000</u>
28	<u>EUREKA, TOWN OF</u>	
29	<u>(EUREKA WATER TREATMENT IMPROVEMENT PROJECT)</u>	<u>\$100,000</u>
30	<u>BROADWATER COUNTY CONSERVATION DISTRICT</u>	



1	<u>(BIG SPRINGS DITCH WATER CONSERVATION AND SPAWNING BED PROJECT)</u>	<u>\$100,000</u>
2	<u>PINESDALE, TOWN OF</u>	
3	<u>(PINESDALE WATER SYSTEM IMPROVEMENTS)</u>	<u>\$100,000</u>
4	<u>JEFFERSON COUNTY</u>	
5	<u>(BIG PIPESTONE CREEK REMEDIATION)</u>	<u>\$99,531</u>
6	<u>FORT SHAW IRRIGATION DISTRICT</u>	
7	<u>(FORT SHAW ID A-SYSTEM MODIFICATION)</u>	<u>\$100,000</u>

8 (5) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for  
9 purposes of encumbering the funds during the biennium ending June 30, 2015, pursuant to 17-7-302.

10  
11 NEW SECTION. Section 2. Coordination of fund sources for grants to political subdivisions and  
12 local governments. A project sponsor listed under [section 1(4)] may not receive funds from both the reclamation  
13 and development grants program and the renewable resource grant and loan program for the same project during  
14 the same biennium.

15  
16 NEW SECTION. Section 3. Condition of grants. Disbursement of funds under [sections 1 through 4]  
17 for grants is subject to the following conditions that must be met by project sponsors:

18 (1) approval of a scope of work and budget for the project by the department of natural resources and  
19 conservation. Changes in the project scope of work or budget that reduce the public or natural resource benefits  
20 as presented in department reports and applicant testimony to the 63rd legislature may result in a proportional  
21 reduction in the grant amount.

22 (2) satisfactory completion of conditions described in the recommendation section of the project narrative  
23 of the renewable resource grant and loan program report to the legislature for the biennium ending June 30, 2015,  
24 or, in the case of grants issued under [section 1(1)], completion of conditions specified at the time of written  
25 notification of approved grant authority;

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

27 (4) accomplishment of other specific requirements considered necessary by the department to meet the  
28 purpose of the grant as evidenced from the application to the department or from the proposal to the legislature.

29  
30 NEW SECTION. Section 4. Appropriations established. For any entity of state government that

1 receives a grant under [sections 1 through 3], an appropriation is established for the amount of the grant listed  
2 in [section 1(4)]. Grants to entities from prior bienniums are reauthorized for completion of contract work.

3  
4 NEW SECTION. SECTION 5. TRANSFER OF FUNDS. BY JULY 15, 2013, THE STATE TREASURER SHALL  
5 TRANSFER TO THE NATURAL RESOURCES PROJECTS STATE SPECIAL REVENUE ACCOUNT ESTABLISHED IN 15-38-302:

6 (1) ~~\$3,473,686~~ \$20,473,686 FROM THE GENERAL FUND; AND

7 (2) \$250,000 FROM THE ORPHAN SHARE STATE SPECIAL REVENUE ACCOUNT ESTABLISHED IN 75-10-743.

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

12  
13 COORDINATION SECTION. SECTION 7. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 14 IS PASSED AND  
14 APPROVED AND PROVIDES FOR FUNDING FOR THE PROJECTS OUTLINED IN [SECTION 1(1)(H) OR (1)(I) OF THIS ACT], THE  
15 APPROPRIATIONS MADE IN [SECTION 1(1)(H) OR (1)(I) OF THIS ACT] MUST BE REDUCED BY THE AMOUNTS APPROPRIATED  
16 IN HOUSE BILL NO. 14 AND THE DIFFERENCE MUST REVERT TO THE GENERAL FUND.

17  
18 NEW SECTION. SECTION 8. Severability. If a part of [this act] is invalid, all valid parts that are severable  
19 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part  
20 remains in effect in all valid applications that are severable from the invalid applications.

21  
22 NEW SECTION. SECTION 9. Effective date. [This act] is effective July 1, 2013.

23 - END -