

1 HOUSE BILL NO. 7

2 INTRODUCED BY BERGSAGEL

3 BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE
4 OFFICE OF BUDGET AND PROGRAM PLANNING
56 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."
1011 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
1213 NEW SECTION. **Section 1. Appropriations for reclamation and development grants.** (1) The
14 amounts listed in [section 2] are appropriated to the department of natural resources and conservation from
15 the reclamation and development grants special revenue account from funds allocated for appropriation
16 from the interest income of the resource indemnity trust fund set forth in Title 15, chapter 38.17 (2) The funds appropriated in this section must be awarded by the department to the entities listed
18 in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions
19 provided in [sections 2 through 4].
2021 NEW SECTION. **Section 2. Approved grant projects.** (1) The legislature approves the grants listed
22 in subsection (2), to be made in the order of priority as indicated within the following list of projects and
23 activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts
24 approved in this section in order of priority until available funds are expended. Funds not accepted by
25 grantees or funds not used by higher-ranked projects and activities must be provided for projects and
26 activities lower on the priority list that would otherwise not receive funding. Descriptions of the various
27 projects and activities and specific conditions established for each project and activity are contained within
28 the department of natural resources and conservation reclamation and development grants program report
29 to the 55th legislature for the 1999 biennium.

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

	<u>Grant Amount</u>
1 <u>Applicant/Project</u>	
2 MONTANA BOARD OF OIL AND GAS CONSERVATION	
3 Balco Disposal Facility, Plug and Abandonment	
4 and Site Restoration	\$600,000
5 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
6 Reliance Refinery Soils and Sludge Cleanup #1	300,000
7 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
8 Reliance Refinery Soils and Sludge Cleanup #2	282,300
9 ENVIRONMENTAL QUALITY - ABANDONED, DEPARTMENT OF	
10 Nancy Lee Mine Complex Reclamation	286,914
11 ENVIRONMENTAL QUALITY - ABANDONED, DEPARTMENT OF	
12 Nellie Grant Mine Reclamation Project	288,040
13 POWELL COUNTY	
14 Charter Oak Mine and Mill Reclamation	300,000
15 MILE HIGH CONSERVATION DISTRICT	
16 Highland Mill Reclamation	258,070
17 BUTTE-SILVER BOW LOCAL GOVERNMENT*	
18 Upper Clark Fork Basin: Superfund Technical	
19 Assistance	91,532
20 MONTANA BOARD OF OIL AND GAS CONSERVATION*	
21 1996 "A" Orphaned Well Plug and Abandonment	
22 and Site Restoration	164,222
23 CARBON COUNTY	
24 Dry Hydrant Demonstration Project	157,579
25 TOOLE COUNTY*	
26 North Toole County Reclamation Project	40,000
27 MONTANA BOARD OF OIL AND GAS CONSERVATION*	
28 1996 "B" Orphaned Well Plug and Abandonment	
29 and Site Restoration	190,000
30 MONTANA STATE UNIVERSITY - RECLAMATION*	

1	Reclaimed Metal Mine Lands: Agricultural Uses	
2	and Restrictions	129,114
3	MINES AND GEOLOGY, MONTANA BUREAU OF*	
4	Training for Environmentally and Economically	
5	Sound Resource Development	49,722
6	WALKERVILLE, TOWN OF	
7	Walkerville's Plan for Development of Reclaimed	
8	Mine Properties	40,700
9	BUTTE-SILVER BOW LOCAL GOVERNMENT	
10	Travona Mine Yard Preservation and Enhancement	145,280
11	YELLOWSTONE CONSERVATION DISTRICT*	
12	Watershed Planning in Montana Integrating	
13	Geospatial Information	100,000

14 (3) To the entities listed in this section, this appropriation constitutes a valid obligation of these
 15 funds for purposes of encumbering the funds within the 1999 biennium pursuant to 17-7-302.

16 (4) The funding provided to the grant projects in this section and identified by an asterisk (*)
 17 following the applicant's name is eligible for and may be designated for use as a nonfederal match for the
 18 federal funding acquired for the nonpoint source pollution control program administered by the department
 19 of environmental quality.

20

21 **NEW SECTION. Section 3. Coordination of fund sources for grants program projects.** A sponsor
 22 of a grants program project who has applied for a grant for that project under both the reclamation and
 23 development grants program and the renewable resource grant and loan program may not receive duplicate
 24 funding.

25

26 **NEW SECTION. Section 4. Condition of grants.** Disbursement of grant funds under [sections 1
 27 through 6] is subject to the following conditions that must be met by the project sponsor:

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

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8 RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING GRANTS AND AMOUNTS;
9 ESTABLISHING CONDITIONS FOR GRANTS; AMENDING SECTION 2, CHAPTER 454, LAWS OF 1995; AND
10 PROVIDING AN EFFECTIVE DATE."11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:13
14 NEW SECTION. **Section 1. Appropriations for reclamation and development grants.** (1) ~~The~~
15 ~~amounts listed in [section 2] are~~ THE AMOUNT OF \$3 MILLION IS appropriated to the department of natural
16 resources and conservation from the reclamation and development grants special revenue account from
17 funds allocated for appropriation from the interest income of the resource indemnity trust fund set forth in
18 Title 15, chapter 38.19 (2) The funds appropriated in this section must be awarded by the department to the entities listed
20 in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions
21 provided in [sections 2 through 4].
2223 NEW SECTION. **Section 2. Approved grant projects.** (1) The legislature approves the grants listed
24 in subsection (2), to be made in the order of priority as indicated within the following list of projects and
25 activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts
26 approved in this section in order of priority until available funds are expended. Funds not accepted by
27 grantees or funds not used by higher-ranked projects and activities must be provided for projects and
28 activities lower on the priority list that would otherwise not receive funding. Descriptions of the various
29 projects and activities and specific conditions established for each project and activity are contained within
30 the department of natural resources and conservation reclamation and development grants program report

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

3 <u>Applicant/Project</u>	<u>Grant Amount</u>
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5 Balco Disposal Facility, Plug and Abandonment	
6 and Site Restoration	\$600,000
7 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
8 Reliance Refinery Soils and Sludge Cleanup #1	300,000
9 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF	
10 Reliance Refinery Soils and Sludge Cleanup #2	282,300
11 ENVIRONMENTAL QUALITY - ABANDONED, DEPARTMENT OF	
12 Nancy Lee Mine Complex Reclamation	286,914
13 ENVIRONMENTAL QUALITY - ABANDONED, DEPARTMENT OF	
14 Nellie Grant Mine Reclamation Project	288,040
15 POWELL COUNTY	
16 Charter Oak Mine and Mill Reclamation	300,000
17 MILE HIGH CONSERVATION DISTRICT	
18 Highland Mill Reclamation	258,070
19 BUTTE-SILVER BOW LOCAL GOVERNMENT *	
20 Upper Clark Fork Basin: Superfund Technical	
21 Assistance	91,532
22 MONTANA BOARD OF OIL AND GAS CONSERVATION *	
23 1996 "A" Orphaned Well Plug and Abandonment	
24 and Site Restoration	164,222
25 CARBON COUNTY	
26 Dry Hydrant Demonstration Project	157,579
27 TOOLE COUNTY*	
28 North Toole County Reclamation Project	40,000
29 MONTANA BOARD OF OIL AND GAS CONSERVATION *	
30 1996 "B" Orphaned Well Plug and Abandonment	

1	and Site Restoration	100,000 0
2	<u>THE BOARD OF OIL AND GAS CONSERVATION IS AUTHORIZED TO EXPEND REMAINING FUNDS</u>	
3	<u>FROM GRANTS TO THE BOARD IN THIS SUBSECTION (2) AND REMAINING FUNDS FROM GRANTS</u>	
4	<u>PREVIOUSLY AWARDED TO THE BOARD TO PAY FOR THE PROPER PLUGGING OF ADDITIONAL</u>	
5	<u>ABANDONED OIL AND GAS WELLS. THIS MAY INCLUDE FUNDING THE SEVEN PRIORITY WELLS</u>	
6	<u>IDENTIFIED IN THE 1996 "B" ORPHANED WELL PLUG AND ABANDONMENT PROJECT. IN DETERMINING</u>	
7	<u>WHICH WELLS TO PLUG, ABANDONED WELLS THAT REPRESENT THE GREATEST THREAT TO THE</u>	
8	<u>ENVIRONMENT AND PUBLIC HEALTH AND SAFETY SHOULD BE GIVEN PRIORITY OVER ALL OTHERS.</u>	
9	MONTANA STATE UNIVERSITY - RECLAMATION*	
10	Reclaimed Metal Mine Lands: Agricultural Uses	
11	and Restrictions	129,114
12	MINES AND GEOLOGY, MONTANA BUREAU OF*	
13	Training for Environmentally and Economically	
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19	Travona Mine Yard Preservation and Enhancement	145,280
20	YELLOWSTONE CONSERVATION DISTRICT*	
21	Watershed Planning in Montana Integrating	
22	Geospatial Information	100,000
23	<u>BUTTE-SILVER BOW LOCAL GOVERNMENT</u>	
24	<u>BUTTE MINE SUBSIDENCE RECLAMATION</u>	<u>81,250</u>
25	<u>ROSEBUD CONSERVATION DISTRICT</u>	
26	<u>HYDROLOGIC & GEOLOGIC FEASIBILITY -- COAL MINE</u>	
27	<u>PITS AS WATER IMPOUNDS</u>	<u>150,000</u>
28	<u>DEER LODGE VALLEY CONSERVATION DISTRICT</u>	
29	<u>DEVELOPMENT OF ACID- AND HEAVY METAL-TOLERANT</u>	
30	<u>CULTIVARS</u>	<u>100,000</u>

1 (3) To the entities listed in this section, this appropriation constitutes a valid obligation of these
2 funds for purposes of encumbering the funds within the 1999 biennium pursuant to 17-7-302.

3 (4) The funding provided to the grant projects in this section and identified by an asterisk (*)
4 following the applicant's name is eligible for and may be designated for use as a nonfederal match for the
5 federal funding acquired for the nonpoint source pollution control program administered by the department
6 of environmental quality.

7
8 **NEW SECTION. Section 3. Coordination of fund sources for grants program projects.** A sponsor
9 of a grants program project who has applied for a grant for that project under both the reclamation and
10 development grants program and the renewable resource grant and loan program may not receive duplicate
11 funding.

12
13 **NEW SECTION. Section 4. Condition of grants.** Disbursement of grant funds under [sections 1
14 through 6] is subject to the following conditions that must be met by the project sponsor:

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

18 (2) Other funds required for project completion must have been committed, and the commitment
19 must be documented.

20 (3) The project sponsor shall show satisfactory completion of conditions described in the
21 recommendations section of the project narrative of the reclamation and development grants program report
22 for the 1999 biennium.

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

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

29
30 **NEW SECTION. Section 5. Other appropriations.** There is appropriated to any entity of state

1 government that receives a grant under [sections 1 through 6] the amount of the grant upon award of the
 2 grant by the department of natural resources and conservation. Grants to state entities from a prior
 3 biennium are reauthorized for completion of contract work.

4
 5 **SECTION 6. SECTION 2, CHAPTER 454, LAWS OF 1995, IS AMENDED TO READ:**

6 The appropriations for reclamation and development grants on page 2158, Laws of 1995, is amended to
 7 read:

8 "PETROLEUM COUNTY CONSERVATION DISTRICT*

9 Petroleum County Artesian Basin

10 Ground Water Project ~~300,000~~ 232,247"

11
 12 **NEW SECTION. Section 7. Reversion of funds.** All funds appropriated from the reclamation and
 13 development grants special revenue account under [sections 1 through 6] that are unspent and
 14 unencumbered on June 30, 1999, revert to that account.

15
 16 **NEW SECTION. Section 8. Severability.** If a part of [this act] is invalid, all valid parts that are
 17 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
 18 applications, the part remains in effect in all valid applications that are severable from the invalid
 19 applications.

20
 21 **NEW SECTION. Section 9. Effective date.** [This act] is effective July 1, 1997.

22 -END-

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

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE
REPRINTED. PLEASE REFER TO SECOND READING COPY
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APPROVED BY COM ON
FINANCE & CLAIMS

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10 development grants program and the renewable resource grant and loan program may not receive duplicate
11 funding.

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13 **NEW SECTION. Section 4. Condition of grants.** Disbursement of grant funds under [sections 1
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17 improvements.

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24 manner, taking into consideration any changed conditions or circumstances that govern the administration
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