



AN ACT IMPLEMENTING THE RECLAMATION AND DEVELOPMENT GRANTS PROGRAM;
APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
FOR GRANTS UNDER THE RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING
PROJECT GRANTS AND AMOUNTS; ESTABLISHING CONDITIONS FOR GRANTS; AND PROVIDING AN
EFFECTIVE DATE.

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

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

(2) The amount of \$3,702,833 is appropriated to the department of natural resources and conservation from the natural resources projects state special revenue account established in 15-38-302 for grants to political subdivisions and local governments during the biennium beginning July 1, 2021. The funds in this subsection must be awarded by the department to the named entities for the described purposes and in the grant amounts set out in subsection (4) subject to the conditions set forth in [sections 2 and 3] and the contingencies described in the reclamation and development grants program report to the 67th legislature titled: "Governor's Executive Budget Fiscal Years 2021 - 2023 Volume 5".

(3) Funds must be awarded up to the amounts approved in this section in the order of priority listed in subsection (4) until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects farther down the priority list that would not otherwise receive funding. After all eligible projects are funded, remaining funds may be used for any reclamation and development project authorized under this section.

(4) The following are the prioritized grant projects:

Applicant	Amount
(Project)	
Philipsburg, Town of	
(Wastewater Treatment System Improvements, Metals Contaminated Sludge Removal and Disposal)	\$429,000
Mineral County Conservation District	
(Flat Creek Dispersed Tailings Removal and Restoration)	\$219,960
Missoula County	
(Ninemile Creek Placer Mine Reclamation)	\$351,000
Harlowton, City of	
(Contaminated Soils and Free Product Removal at the Harlowton Roundhouse in Harlowton, MT Phase 4)	\$500,000
Mineral County	
(Interim Remedial Action at Milwaukee Road - Haugan State Superfund Facility)	\$499,324
Powell County	
(Milwaukee Roundhouse Area Remediation - Phase 2)	\$500,000
Montana Tech - Montana Bureau of Mines and Geology	
(Modernization of Montana's Regional Seismic Network)	\$499,739
Montana Department of Environmental Quality	
(Landusky Swift Gulch High Flow Treatment System and Stream Rehabilitation)	\$411,199
Lewis and Clark County Water Quality Protection District	
(Grizzly Gulch Placer Mine Reclamation)	\$292,611
Lewistown, City of	
(Central Post and Treating Company CECRA Facility Phase II, Capping and Site Reclamation)	\$500,000
Sunburst, Town of	
(Town of Sunburst Suta South Clean Up Project)	\$185,805

City and County of Butte-Silver Bow	
(Butte Mining District: Reclamation and Protection Project, Phase V)	\$224,680
Ruby Valley Conservation District	
(Granite Creek Reclamation Realignment Project)	\$461,500
Deer Lodge Valley Conservation District	
(Upper French Gulch Fish Passage and Restoration Project)	\$194,832
Fort Peck Assiniboine and Sioux Tribes	
(Orphaned Oil Well Abandonment and Reclamation)	\$300,000
Ryegate, Town of	
(Former Ryegate Conoco Groundwater Remediation)	\$232,505

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

Section 3. Condition of grants. Disbursement of funds under [section 1] is subject to the following conditions that must be met by the project sponsor:

(1) A scope of work and budget for the project must be approved by the department of natural resources and conservation. Any changes in scope of work or budget subsequent to legislative approval may not change project goals and objectives. Changes in activities that would reduce the public or natural resource benefits as presented in department of natural resources and conservation reports and applicant testimony to the 67th legislature may result in a proportional reduction in the grant amount.

(2) The project sponsor shall show satisfactory completion of conditions described in the recommendation section of the project narrative of the program report to the legislature for the biennium ending June 30, 2023, or, in the case of planning grants issued under [section 1(1)], completion of conditions specified at the time of written notification of approved grant authority.

(3) The project sponsor must have a fully executed grant agreement with the department.

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

Section 4. Other appropriations. There is appropriated to any entity of state government that receives a grant under [section 1] the amount of the grant upon award of the grant by the department of natural resources and conservation. Grants to entities from prior bienniums are reauthorized for completion of contract work.

Section 5. Approval of grants -- completion of biennial appropriation. The legislature, pursuant to 90-2-1111, approves the reclamation and development grants listed in [section 1]. The authorization of these grants constitutes a biennial appropriation from the natural resources projects state special revenue account established in 15-38-302.

Section 6. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each federally recognized tribal government in Montana.

Section 7. Coordination instruction. (1) If both [this act] and an act that provides additional funding for reclamation and development grants from a source other than the natural resources projects state special revenue account established in 15-38-302 are passed and approved, the projects listed in [section 1(4) of this act] that do not receive funding from the appropriations in [section 1(2) of this act] may receive funding from the appropriation in the other act designated for reclamation and development grants in the order of completion of the conditions of [section 3 of this act] and to the extent that there is appropriation authority available.

(2) If both [section 1(1) of this act] and [section 1(1)(b) of House Bill No. 6] are passed and approved and if all of the \$800,000 in grant funds authorized in [section 1(1) of this act] are not expended for planning reclamation and development projects by the end of the biennium, then projects eligible for funding under [section 1(1)(b) of House Bill No. 6] are eligible to apply for funding under [section 1(1) of this act] for renewable resource project planning grants.

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

Section 9. Effective date. [This act] is effective July 1, 2021.

- END -

I hereby certify that the within bill,
HB 7, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2021.

President of the Senate

Signed this _____ day
of _____, 2021.

HOUSE BILL NO. 7

INTRODUCED BY M. HOPKINS

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

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