

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature Second Regular Session - 2020

IN THE SENATE

SENATE BILL NO. 1403

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2021; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2021; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS TO THE ENVIRONMENTAL REMEDIATION BASIN FUND; PROVIDING REQUIREMENTS FOR THE ENVIRONMENTAL REMEDIATION BASIN FUND; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; PROVIDING REQUIREMENTS FOR THE USE OF CERTAIN MONEYS FOR AGRICULTURAL BEST MANAGEMENT PRACTICES; AND PROVIDING REAPPROPRIATION AUTHORITY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Environmental Quality the following amounts to be expended according to the designated programs and expense classes from the listed funds for the period July 1, 2020, through June 30, 2021:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. ADMINISTRATION AND SUPPORT SERVICES:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$2,110,500	\$2,231,100			\$4,341,600
Air Quality Permitting					
Fund	221,200	125,000			346,200
Public Water System Supervision					
Fund	365,800	93,000			458,800
Environmental Remediation (Basin)					
Fund		26,300			26,300
Department of Environmental Quality (Receipts)					
Fund	246,100	147,800			393,900
Idaho Underground Storage Tank Program					
Fund	55,300	29,200			84,500
IPDES Program					
Fund	190,300	92,700			283,000
Bunker Hill Trust					
Fund		12,400			12,400

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
Department of Environmental Quality (Federal)					
Fund	<u>1,466,100</u>	<u>1,845,900</u>			<u>3,312,000</u>
TOTAL	\$4,655,300	\$4,603,400			\$9,258,700
II. AIR QUALITY:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$3,766,900	\$210,600	\$35,000		\$4,012,500
Air Quality Permitting					
Fund	1,309,000	82,700		\$40,000	1,431,700
Department of Environmental Quality (Receipts)					
Fund	372,200	693,000			1,065,200
Department of Environmental Quality (Federal)					
Fund	<u>1,339,600</u>	<u>3,171,200</u>	<u>0</u>	<u>41,400</u>	<u>4,552,200</u>
TOTAL	\$6,787,700	\$4,157,500	\$35,000	\$81,400	\$11,061,600
III. WATER QUALITY:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$7,758,800	\$1,960,700		\$967,500	\$10,687,000
Public Water System Supervision					
Fund	1,143,100	499,700			1,642,800
Water Pollution Control					
Fund			\$59,000	343,700	402,700
Department of Environmental Quality (Receipts)					
Fund	528,700	1,003,500		2,521,600	4,053,800
IPDES Program					
Fund	778,800	49,400			828,200
Department of Environmental Quality (Federal)					
Fund	<u>5,046,300</u>	<u>1,523,000</u>	<u>9,200</u>	<u>2,753,200</u>	<u>9,331,700</u>
TOTAL	\$15,255,700	\$5,036,300	\$68,200	\$6,586,000	\$26,946,200
IV. COEUR D'ALENE BASIN COMMISSION:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$121,200	\$10,200			\$131,400

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
Environmental Remediation (Basin)					
Fund	68,600	15,500			84,100
Department of Environmental Quality (Federal)					
Fund	<u>16,000</u>	<u>0</u>		<u>\$50,000</u>	<u>66,000</u>
TOTAL	\$205,800	\$25,700		\$50,000	\$281,500
V. WASTE MANAGEMENT AND REMEDIATION:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$2,706,300	\$102,700		\$134,600	\$2,943,600
Environmental Remediation (Box)					
Fund	271,600	76,600		150,500	498,700
Environmental Remediation (Basin)					
Fund	385,500	41,800		200,000	627,300
Environmental Remediation (Triumph Mine)					
Fund	64,000	343,500			407,500
Department of Environmental Quality (Receipts)					
Fund	836,400	127,100		51,800	1,015,300
Idaho Underground Storage Tank Program					
Fund	242,800	25,000			267,800
Bunker Hill Trust					
Fund	84,600	1,385,000		300,000	1,769,600
Department of Environmental Quality (Federal)					
Fund	<u>2,743,100</u>	<u>3,630,500</u>		<u>3,015,500</u>	<u>9,389,100</u>
TOTAL	\$7,334,300	\$5,732,200		\$3,852,400	\$16,918,900
VI. IDAHO NATIONAL LABORATORY OVERSIGHT:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$90,900	\$8,700			\$99,600
Department of Environmental Quality (Federal)					
Fund	<u>1,028,500</u>	<u>918,800</u>		<u>\$146,900</u>	<u>2,094,200</u>
TOTAL	\$1,119,400	\$927,500		\$146,900	\$2,193,800
GRAND TOTAL	\$35,358,200	\$20,482,600	\$103,200	\$10,716,700	\$66,660,700

1       SECTION 2.   FTP AUTHORIZATION. In accordance with Section 67-3519,  
2 Idaho Code, the Department of Environmental Quality is authorized no more  
3 than three hundred seventy-nine (379.00) full-time equivalent positions  
4 at any point during the period July 1, 2020, through June 30, 2021, unless  
5 specifically authorized by the Governor. The Joint Finance-Appropriations  
6 Committee will be notified promptly of any increased positions so autho-  
7 rized.

8       SECTION 3.   CASH TRANSFER FOR WASTE REMEDIATION. There is hereby appro-  
9 priated to the Department of Environmental Quality and the State Controller  
10 shall transfer \$1,500,000 from the Water Pollution Control Fund to the Envi-  
11 ronmental Remediation (Basin) Fund through monthly installments or as prac-  
12 ticable for the period July 1, 2020, through June 30, 2021, to be used for Su-  
13 perfund cleanup projects in the Coeur d'Alene Basin.

14       SECTION 4.   REMEDIATION PROJECT REPORTING REQUIREMENTS. Moneys de-  
15 posited into the Environmental Remediation (Basin) Fund shall be used for  
16 remediation of the Coeur d'Alene Basin in accordance with the Superfund con-  
17 tract with the Environmental Protection Agency. The Department of Environ-  
18 mental Quality shall file an annual report with the Governor, Legislature,  
19 and Coeur d'Alene Basin Environmental Improvement Project Commission on the  
20 remediation progress and the expenditures involved.

21       SECTION 5.   USES OF THE WATER POLLUTION CONTROL FUND. The appropriation  
22 of moneys from the Water Pollution Control Fund in this act shall specifi-  
23 cally supersede the provisions of Section 39-3630, Idaho Code.

24       SECTION 6.   AGRICULTURAL BEST MANAGEMENT PRACTICES. As appropriated in  
25 Section 1 of this act, \$279,000 of the ongoing moneys appropriated from the  
26 Department of Environmental Quality (General) Fund to the Water Quality Pro-  
27 gram for trustee and benefit payments shall be used for a statewide grant  
28 program to support implementation of Agricultural Best Management Practices  
29 (BMPs) in high-priority watersheds throughout Idaho. The department shall  
30 administer this funding through existing BMP grant procedures and person-  
31 nel. Funding shall be used by farmers and ranchers to modify their agricul-  
32 tural practices in order to improve water quality and help meet the objec-  
33 tives of Total Maximum Daily Loads (TMDLs).

34       SECTION 7.   REAPPROPRIATION AUTHORITY. There is hereby reappropriated  
35 to the Department of Environmental Quality any unexpended and unencumbered  
36 balances appropriated to the Department of Environmental Quality for Agri-  
37 cultural Best Management Practices for fiscal year 2020, in an amount not  
38 to exceed \$500,000 from the General Fund, to be used for nonrecurring ex-  
39 penditures related to Agricultural Best Management Practices for the period  
40 July 1, 2020, through June 30, 2021. The State Controller shall confirm the  
41 reappropriation amount, by fund, expense class, and program, with the Leg-  
42 islative Services Office prior to processing the reappropriation authorized  
43 herein.