

IN THE SENATE

SENATE BILL NO. 1188

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE WATER POLLUTION CONTROL FUND TO THE ENVIRONMENTAL REMEDIATION TRIUMPH MINE FUND; PROVIDING REPORTING REQUIREMENTS; PROVIDING REQUIREMENTS FOR THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER POLLUTION CONTROL FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND TO THE AGRICULTURAL BEST MANAGEMENT PRACTICES FUND; AND DECLARING AN EMERGENCY.

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, 2021, through June 30, 2022:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
I. ADMINISTRATION AND SUPPORT SERVICES:					
FROM:					
Department of Environmental Quality (General)					
Fund	\$2,565,700	\$249,500	\$2,300,000		\$5,115,200
Air Quality Permitting					
Fund	224,900	128,300			353,200
Public Water System Supervision					
Fund	280,100	98,000			378,100
Environmental Remediation (Box)					
Fund	10,200				10,200
Environmental Remediation (Basin)					
Fund	14,300	26,300			40,600

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	Environmental Remediation (Triumph Mine)				
6	Fund	30,400			30,400
7	Department of Environmental Quality (Receipts)				
8	Fund	250,900	153,700		404,600
9	Idaho Underground Storage Tank Program				
10	Fund	56,700	29,200		85,900
11	IPDES Program				
12	Fund	195,000	92,700		287,700
13	Bunker Hill Trust				
14	Fund	26,700	12,400		39,100
15	Department of Environmental Quality (Federal)				
16	Fund	<u>1,495,400</u>	<u>1,961,500</u>	<u>0</u>	<u>3,456,900</u>
17	TOTAL	\$5,150,300	\$2,751,600	\$2,300,000	\$10,201,900
18	II. AIR QUALITY:				
19	FROM:				
20	Department of Environmental Quality (General)				
21	Fund	\$3,851,500	\$210,600		\$4,062,100
22	Air Quality Permitting				
23	Fund	1,333,200	59,700	\$63,000	1,455,900
24	Department of Environmental Quality (Receipts)				
25	Fund	380,200	693,000		1,073,200
26	Department of Environmental Quality (Federal)				
27	Fund	<u>1,368,600</u>	<u>1,971,200</u>	<u>1,241,400</u>	<u>4,581,200</u>
28	TOTAL	\$6,933,500	\$2,934,500	\$1,304,400	\$11,172,400
29	III. WATER QUALITY:				
30	FROM:				
31	Department of Environmental Quality (General)				
32	Fund	\$7,724,300	\$1,484,200	\$967,500	\$10,176,000
33	Public Water System Supervision				
34	Fund	1,257,500	499,700		1,757,200
35	Water Pollution Control				
36	Fund			2,000,000	2,000,000
37	Department of Environmental Quality (Receipts)				
38	Fund	610,000	1,003,500	2,521,600	4,135,100

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	IPDES Program				
6	Fund	796,100	49,400		845,500
7	Department of Environmental Quality (Federal)				
8	Fund	<u>5,154,200</u>	<u>1,440,000</u>	<u>2,333,200</u>	<u>8,927,400</u>
9	TOTAL	\$15,542,100	\$4,476,800	\$7,822,300	\$27,841,200
10	IV. COEUR D'ALENE BASIN COMMISSION:				
11	FROM:				
12	Department of Environmental Quality (General)				
13	Fund	\$137,500	\$10,200		\$147,700
14	Environmental Remediation (Basin)				
15	Fund	69,800	15,500		85,300
16	Department of Environmental Quality (Federal)				
17	Fund	<u>16,000</u>	<u>0</u>	<u>\$50,000</u>	<u>66,000</u>
18	TOTAL	\$223,300	\$25,700	\$50,000	\$299,000
19	V. WASTE MANAGEMENT AND REMEDIATION:				
20	FROM:				
21	Department of Environmental Quality (General)				
22	Fund	\$2,547,600	\$102,700	\$134,600	\$2,784,900
23	Environmental Remediation (Box)				
24	Fund	266,000	76,600	150,500	493,100
25	Environmental Remediation (Basin)				
26	Fund	377,800	615,000	200,000	1,192,800
27	Environmental Remediation (Triumph Mine)				
28	Fund	98,000	1,412,200		1,510,200
29	Department of Environmental Quality (Receipts)				
30	Fund	779,900	127,100	51,800	958,800
31	Idaho Underground Storage Tank Program				
32	Fund	247,900	25,000		272,900
33	Bunker Hill Trust				
34	Fund	106,400	2,957,000	300,000	3,363,400
35	Department of Environmental Quality (Federal)				
36	Fund	<u>2,803,300</u>	<u>3,630,500</u>	<u>3,015,500</u>	<u>9,449,300</u>
37	TOTAL	\$7,226,900	\$8,946,100	\$3,852,400	\$20,025,400

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	VI. IDAHO NATIONAL LABORATORY OVERSIGHT:				
6	FROM:				
7	Department of Environmental Quality (General)				
8	Fund	\$93,900	\$8,700		\$102,600
9	Department of Environmental Quality (Federal)				
10	Fund	<u>1,047,600</u>	<u>918,800</u>	<u>\$146,900</u>	<u>2,113,300</u>
11	TOTAL	\$1,141,500	\$927,500	\$146,900	\$2,215,900
12	GRAND TOTAL	\$36,217,600	\$20,062,200	\$2,300,000	\$13,176,000
				\$71,755,800	

13 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,  
 14 Idaho Code, the Department of Environmental Quality is authorized no more  
 15 than three hundred seventy-nine (379.00) full-time equivalent positions  
 16 at any point during the period July 1, 2021, through June 30, 2022, unless  
 17 specifically authorized by the Governor. The Joint Finance-Appropriations  
 18 Committee will be notified promptly of any increased positions so autho-  
 19 rized.

20 SECTION 3. CASH TRANSFER FOR TRIUMPH MINE. There is hereby appropriated  
 21 to the Department of Environmental Quality and the Office of the State Con-  
 22 troller shall transfer \$1,500,000 from the Water Pollution Control Fund to  
 23 the Environmental Remediation (Triumph Mine) Fund on July 1, 2021, or as soon  
 24 thereafter as practicable for the period July 1, 2021, through June 30, 2022,  
 25 to be used for remediation, maintenance, and monitoring of conditions at the  
 26 Triumph Mine.

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

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

37 SECTION 6. CASH TRANSFER FOR AGRICULTURAL BEST MANAGEMENT PRACTICES  
 38 FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY GENERAL FUND. Of the amount  
 39 appropriated in Section 1 of this act, there is hereby appropriated and the  
 40 Office of the State Controller shall transfer \$279,000 from the Department  
 41 of Environmental Quality (General) Fund to the Agricultural Best Management

1 Practices (BMP) Fund on July 1, 2021, or as soon thereafter as practicable  
2 for the period July 1, 2021, through June 30, 2022.

3 SECTION 7. CASH TRANSFER FOR AGRICULTURAL BEST MANAGEMENT PRACTICES  
4 FROM THE GENERAL FUND. There is hereby appropriated and the Office of the  
5 State Controller shall transfer \$1,000,000 from the General Fund to the  
6 Agricultural Best Management Practices (BMP) Fund on July 1, 2021, or as soon  
7 thereafter as practicable for the period July 1, 2021, through June 30, 2022.

8 SECTION 8. CASH TRANSFER TO THE WATER POLLUTION CONTROL FUND. There is  
9 hereby appropriated and the Office of the State Controller shall transfer  
10 \$8,181,700 from the General Fund to the Water Pollution Control Fund on July  
11 1, 2021, or as soon thereafter as practicable for the period July 1, 2021,  
12 through June 30, 2022.

13 SECTION 9. CASH TRANSFER FOR AGRICULTURAL BEST MANAGEMENT PRACTICES  
14 FOR FISCAL YEAR 2021. There is hereby appropriated and the Office of the  
15 State Controller shall transfer \$284,700 from the Department of Environmen-  
16 tal Quality (General) Fund to the Agricultural Best Management Practices  
17 (BMP) Fund as soon as practicable for the period July 1, 2020, through June  
18 30, 2021.

19 SECTION 10. An emergency existing therefor, which emergency is hereby  
20 declared to exist, Section 9 of this act shall be in full force and effect on  
21 and after passage and approval.