

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 267

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO WATER; AMENDING SECTION 42-1760, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE WATER MANAGEMENT ACCOUNT.

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

SECTION 1. That Section 42-1760, Idaho Code, be, and the same is hereby amended to read as follows:

42-1760. WATER MANAGEMENT ACCOUNT. (1) There is hereby created and established in the trust and agency fund the water management account. All moneys in the account are appropriated continuously to the water resource board to be used and administered by it for the purposes specified in subsection (2) of this section, and shall not be subject to the provisions of the standard appropriations act of 1945 or section 67-3516, Idaho Code. The state treasurer shall invest the idle moneys of the account, and the interest earned on such investments shall be retained by the account.

(2) The board may expend, loan, or grant moneys from the water management account for ~~new water projects or the rehabilitation of existing water projects limited to the following purposes: reclamation, upstream storage, offstream storage, aquifer recharge, reservoir site acquisition and protection, water supply, water quality, recreation, and water resource studies, including feasibility studies for qualifying projects, including studies, that conserve or increase water supply, improve drought resiliency, address water sustainability, or support flood management.~~ The board shall have the authority to determine which water projects are undertaken pursuant to this section subject to the reporting requirements of subsection (3) of this section.

(a) Expenditures may be made from the account to provide public moneys for participation in any project constructed with funds from the water resource board revolving development account provided by section 42-1756, Idaho Code.

(b) Grants and loans may be made by the board from the account for any project in the public interest for the projects authorized by this section; no single annual grant shall exceed fifty thousand dollars (\$50,000) unless legislative approval has been obtained. This provision shall not apply to projects selected by the board under paragraph (c) of this subsection or for flood management grants as may be authorized by the board.

(c) Expenditures may be ~~made from the account for~~ include but are not limited to the state's participation in the costs of the following large water infrastructure projects:

(i) ~~Costs associated with t~~The construction of a raise of Anderson ranch dam, located on the south fork of the Boise river;

1 (ii) ~~Costs associated with t~~The Mountain Home air force base water
2 delivery and treatment systems; and

3 (iii) ~~The enlargement or construction of new or existing surface~~
4 ~~storage reservoirs owned and operated by the United States bu-~~
5 ~~reau of reclamation or army corps of engineers identification,~~
6 ~~study, and construction of managed aquifer recharge sites above~~
7 ~~Milner dam to benefit existing water rights, including to meet the~~
8 ~~state's commitments under settlement agreements.~~

9 (d) ~~The selection of any new large water infrastructure~~ Any project
10 selected pursuant to paragraph (c) of this subsection must ~~consider~~
11 ~~and protect all~~ existing water rights and consider the effects of such
12 projects on other water uses, such as water quality, fish and wildlife,
13 recreation, and hydropower, that provide economic value, stability,
14 water sustainability, drought resiliency, and other benefits to the
15 citizens of the state.

16 (3e) ~~Any large infrastructure project receiving any portion of the~~
17 ~~funds approved pursuant to subsection (2) (c) of this section shall re-~~
18 ~~quire that Preference for the distribution of funds shall be given with~~
19 ~~at least fifty percent (50%) matching funds be provided by parties other~~
20 ~~than the state. In the event of in-kind contributions, the board shall~~
21 ~~determine the value of the in-kind contribution.~~

22 (43) On or before the first day of each regular legislative session,
23 the board shall submit to the legislature a report ~~of any moneys expended or~~
24 ~~obligated and any work begun and/or completed in the prior or current fis-~~
25 ~~cal year on a project selected pursuant to subsection (2) (c) of this section.~~
26 relating to the prior and current fiscal year that includes the following in-
27 formation:

28 (a) A list of all projects considered by the board to receive funds from
29 the water management account;

30 (b) A statement of all projects receiving moneys from the water manage-
31 ment account, including:

32 (i) A description of how the project meets the purposes of the
33 water management account, as identified in subsection (2) of this
34 section;

35 (ii) A statement of all moneys expended or obligated from the wa-
36 ter management account for the project; and

37 (iii) A status report on the project, including identification of
38 work begun or completed and any anticipated further work within
39 the next calendar year; and

40 (c) Any anticipated future projects for which funding may be requested
41 from the water management account.

42 This information shall also be included as part of the board's budget report
43 to the joint finance-appropriation committee during each legislative ses-
44 sion.

45 (54) The director of the department of water resources shall assist the
46 board in any way the board deems necessary to fulfill the policy and purpose
47 of the water management account, including technical evaluation of proposed
48 projects and coordination in state and federal agencies.