

IN THE SENATE

SENATE BILL NO. 1181

BY FINANCE COMMITTEE

AN ACT

1
 2 RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES; AP-
 3 PROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL
 4 YEAR 2024; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT
 5 POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING
 6 DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND FOR FIS-
 7 CAL YEAR 2024; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL
 8 FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT, AND IMPLEMENTATION
 9 FUND FOR FISCAL YEAR 2024; APPROPRIATING AND TRANSFERRING MONEYS FROM
 10 THE GENERAL FUND TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2024;
 11 PROVIDING REQUIREMENTS FOR ELIGIBLE WATER PROJECTS; PROVIDING FOR
 12 ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN
 13 EFFECTIVE DATE.

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

15 SECTION 1. There is hereby appropriated to the Department of Water
 16 Resources the following amounts to be expended according to the designated
 17 programs and expense classes from the listed funds for the period July 1,
 18 2023, through June 30, 2024:

| | | FOR | FOR | FOR | FOR | |
|----|-------------------------------------|-------------|----------------|-----------|-------------|----------------|
| | | | | | TRUSTEE AND | |
| | | | | | BENEFIT | |
| | | | | | PAYMENTS | TOTAL |
| | | PERSONNEL | OPERATING | CAPITAL | | |
| | | COSTS | EXPENDITURES | OUTLAY | | |
| 23 | I. MANAGEMENT AND SUPPORT SERVICES: | | | | | |
| 24 | FROM: | | | | | |
| 25 | General | | | | | |
| 26 | Fund | \$887,300 | \$937,600 | \$204,000 | | \$2,028,900 |
| 27 | Indirect Cost Recovery | | | | | |
| 28 | Fund | 179,100 | 205,700 | | | 384,800 |
| 29 | Water Administration | | | | | |
| 30 | Fund | | 20,900 | | | 20,900 |
| 31 | Miscellaneous Revenue | | | | | |
| 32 | Fund | <u>0</u> | <u>171,200</u> | <u>0</u> | | <u>171,200</u> |
| 33 | TOTAL | \$1,066,400 | \$1,335,400 | \$204,000 | | \$2,605,800 |

| | FOR | FOR | FOR | FOR | |
|----|--------------------------------------|----------------|----------------|--------------|------------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | TOTAL |
| | | | | PAYMENTS | |
| 5 | II. PLANNING AND TECHNICAL SERVICES: | | | | |
| 6 | FROM: | | | | |
| 7 | General | | | | |
| 8 | Fund | \$3,808,900 | \$707,000 | \$6,936,500 | \$11,452,400 |
| 9 | Indirect Cost Recovery | | | | |
| 10 | Fund | | 81,000 | | 81,000 |
| 11 | Aquifer Planning and Management | | | | |
| 12 | Fund | 1,130,600 | 457,400 | | 1,588,000 |
| 13 | Miscellaneous Revenue | | | | |
| 14 | Fund | | 164,500 | | 164,500 |
| 15 | ARPA State Fiscal Recovery | | | | |
| 16 | Fund | | | 50,000,000 | 50,000,000 |
| 17 | Federal Grant | | | | |
| 18 | Fund | <u>346,800</u> | <u>857,700</u> | <u>0</u> | <u>1,204,500</u> |
| 19 | TOTAL | \$5,286,300 | \$2,267,600 | \$56,936,500 | \$64,490,400 |
| 20 | III. WATER MANAGEMENT: | | | | |
| 21 | FROM: | | | | |
| 22 | General | | | | |
| 23 | Fund | \$6,570,500 | \$2,289,100 | \$82,500 | \$8,942,100 |
| 24 | Indirect Cost Recovery | | | | |
| 25 | Fund | | 78,800 | | 78,800 |
| 26 | Water Administration | | | | |
| 27 | Fund | 1,579,400 | 235,000 | | 1,814,400 |
| 28 | Miscellaneous Revenue | | | | |
| 29 | Fund | 1,024,100 | 320,200 | | 1,344,300 |
| 30 | Federal Grant | | | | |
| 31 | Fund | <u>284,800</u> | <u>348,800</u> | <u>0</u> | <u>633,600</u> |
| 32 | TOTAL | \$9,458,800 | \$3,271,900 | \$82,500 | \$12,813,200 |
| 33 | IV. NORTHERN IDAHO ADJUDICATION: | | | | |
| 34 | FROM: | | | | |
| 35 | General | | | | |
| 36 | Fund | \$366,300 | \$198,300 | | \$564,600 |

| | | | | FOR | |
|----|-----------------------------------|--------------|---------------|----------------|---------------|
| | FOR | FOR | FOR | TRUSTEE AND | |
| | PERSONNEL | OPERATING | CAPITAL | BENEFIT | |
| | COSTS | EXPENDITURES | OUTLAY | PAYMENTS | TOTAL |
| 5 | Northern Idaho Adjudication | | | | |
| 6 | Fund | <u>0</u> | <u>38,700</u> | <u>\$9,000</u> | <u>47,700</u> |
| 7 | TOTAL | \$366,300 | \$237,000 | \$9,000 | \$612,300 |
| 8 | V. BEAR RIVER BASIN ADJUDICATION: | | | | |
| 9 | FROM: | | | | |
| 10 | General | | | | |
| 11 | Fund | \$672,400 | \$185,500 | \$89,500 | \$947,400 |
| 12 | GRAND TOTAL | \$16,850,200 | \$7,297,400 | \$385,000 | \$56,936,500 |
| | | | | | \$81,469,100 |

13 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 14 Idaho Code, the Department of Water Resources is authorized no more than one
 15 hundred seventy (170.00) full-time equivalent positions at any point during
 16 the period July 1, 2023, through June 30, 2024, unless specifically autho-
 17 rized by the Governor. The Joint Finance-Appropriations Committee will be
 18 notified promptly of any increased positions so authorized.

19 SECTION 3. CASH TRANSFER FOR AQUIFER MONITORING. There is hereby appro-
 20 priated to the Department of Water Resources and the Office of the State Con-
 21 troller shall transfer \$716,000 from the Revolving Development Fund to the
 22 Aquifer Planning and Management Fund on July 1, 2023, or as soon thereafter
 23 as practicable for the period July 1, 2023, through June 30, 2024, to be used
 24 for aquifer monitoring, measurement, and modeling.

25 SECTION 4. CASH TRANSFER FOR AQUIFER MANAGEMENT. Of the amount appro-
 26 priated to the Department of Water Resources in Section 1 of this act for the
 27 Planning and Technical Services Program from the General Fund, the Office
 28 of the State Controller shall transfer \$5,000,000 to the Secondary Aquifer
 29 Planning, Management, and Implementation Fund on July 1, 2023, or as soon
 30 thereafter as practicable for the period July 1, 2023, through June 30, 2024,
 31 to be used for aquifer recharge and management.

32 SECTION 5. CASH TRANSFER FOR THE FLOOD MANAGEMENT PROGRAM. Of the
 33 amount appropriated to the Department of Water Resources in Section 1 of this
 34 act for the Planning and Technical Services Program from the General Fund,
 35 the Office of the State Controller shall transfer \$1,000,000 to the Water
 36 Management Fund on July 1, 2023, or as soon thereafter as practicable for
 37 the period July 1, 2023, through June 30, 2024, to be used for hydrologic
 38 data collection, monitoring and modeling, flood-damaged stream channel
 39 repair, stream channel improvement, flood risk reduction, or flood pre-
 40 vention projects. These moneys shall be administered by the Idaho Water

1 Resource Board through a competitive, matching grant process that priori-
2 tizes projects based on the public benefits they provide.

3 SECTION 6. WATER PROJECTS ELIGIBLE FOR FUNDING FROM THE AMERICAN RESCUE
4 PLAN ACT (ARPA). It is the intent of the Legislature to provide approximately
5 \$250,000,000 of American Rescue Plan Act (ARPA) funding to support projects
6 managed by the Idaho Water Resource Board. Moneys shall be appropriated
7 from the ARPA State Fiscal Recovery Fund for this purpose. Projects may
8 include: (1) the continued identification, study, construction, or en-
9 largement of managed aquifer recharge sites above Milner Dam in accordance
10 with Section 42-1760(2)(c) and (d), Idaho Code, that, based on scientific
11 data and technical analysis, address the restoration and stabilization
12 of the Eastern Snake Plain Aquifer; (2) the enlargement of Anderson Ranch
13 Reservoir, located on the south fork of the Boise River; (3) the construc-
14 tion of water delivery and treatment systems for the Mountain Home Air Force
15 Base, provided that the Idaho Water Resource Board shall have the authority
16 to transfer ownership of the state-constructed pump station and pipeline to
17 the Air Force at no cost upon completion, and provided further that, notwith-
18 standing the transfer of the pump station and pipeline, the Snake River water
19 rights for the project shall remain in the board's ownership; (4) the design,
20 planning, construction, and implementation of other ARPA-eligible water
21 resource management programs, plans, and projects approved by the board.

22 SECTION 7. ACCOUNTABILITY REPORTS. Funds specifically identified in
23 statute or in an appropriation act as intended for a certain purpose may be
24 used only for that purpose. All funds provided in this act shall be subject
25 to accountability reports and management reviews in accordance with Section
26 67-702, Idaho Code.

27 SECTION 8. An emergency existing therefor, which emergency is hereby
28 declared to exist, this act shall be in full force and effect on and after
29 July 1, 2023.