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TO: UCFRB Advisory Council Members, Public

FROM: NRDP

DATE: September 10, 2020

SUBJECT: UCFRB Aquatic and Terrestrial Resources Restoration Plans: Proposed Allocation of \$1.0 million of the UCFRB Restoration Fund - Grant Project Excess to the Clark Fork Watershed Education Program Education Fund

1. Purpose and Background

The Final Upper Clark Fork River Basin Interim Restoration Process Plan, 2012 (Process Plan) included an amendment signed by Governor Brian Schweitzer setting forth the process to “ earmark long-term funding for the Clark Fork Watershed Education Program (CFWEP) for at least the next 10 years, beginning in fiscal year 2014, and for not longer than 20 years.” At the 2020 biannual budget update to the UCFRB Advisory Council and the Trustee Restoration Council, CFWEP represented they had funding to carry them through the 2021-2022 school year.

The 2012 Final UCFRB Interim Restoration Process Plan (Process Plan) provided CFWEP future costs to be funded proportionally by resource category (Aquatic, Terrestrial, Groundwater). Upon final approval of the 2012 Aquatic and Terrestrial Resources Restoration Plan, the TRC recommended and the Governor approved amending “the Process Plan to provided \$4 million allocation from the interest earnings of the UCFRB Restoration Fund to a separate account, in the nature of an annuity, earmarked for the long-term funding of CFWEP for at least 10 years, beginning in fiscal year 2014 , and for no longer than 20 years.” Additionally, the UCFRB Advisory Council and Trustee Restoration Council are to be updated by CFWEP on its progress and budget every two years, with UCFRB Advisory Council making a recommendation to the TRC prior to the TRC approving the biannual budget.

In 2020, CFWEP staff, in discussions with the Governor’s Office and NRDP, requested additional funding to keep the program going past 2022, when the allocated funds will be exhausted. NRDP proposes to allocate UCFRB Restoration Funds totaling \$1.0 million from unspent grant projects approved between 2001 and 2011. Numerous grant projects were completed, but all approved funding was not spent. It is estimated this additional funding will provide funding to continue CFWEP at least through school year 2023-2024.

Funding will be consistent with the Amendment and Section 7.2 of the Process Plan, with the funds to be transferred from the UCFRB Restoration Fund to the NRDP Education Fund. The NRDP and CFWEP will continue its task order under the contract with Montana Tech to implement the educational projects and the CFWEP budget will be considered by the NRDP and the Advisory Council and approved by the TRC on a biannual basis in each even numbered year.

The NRDP and the Advisory Council will continue to provide input to the TRC on the CFWEP proposed budgets and the TRC will consider the milestones achieved during the previous year.

2. Review and Approval Processes and Public Participation

The public will have the opportunity to provide written comments on this proposed allocation during a 30-day comment period commencing September 10, 2020. Considering of public input, the Advisory Council and TRC will make a recommendation at meetings to be scheduled in early November 2020. The Trustee will make the final decision on this 2020 UCFRB Restoration Fund allocation to the Education Fund prior to December 31, 2020.

3. Schedule for Amendment to the Restoration Plans to Allocate the UCFRB Restoration Fund Grant Program Excess to Education Fund

The 2020 Amendment to allocate \$1.0 million of unallocated UCFRB Restoration Fund grant funds to the NRDP Education Fund to fund CFWEP for at least two years is subject to a 30-day public comment period scheduled for September 10, 2020 through October 11, 2020. Written comments may be submitted to NRDP at [nrdp@mt.gov](mailto:nrdp@mt.gov). Comments may also be sent by mail (postmarked on or before October 11, 2020) to NRDP, 1720 9<sup>th</sup> Avenue, Helena, MT 59620-1425.