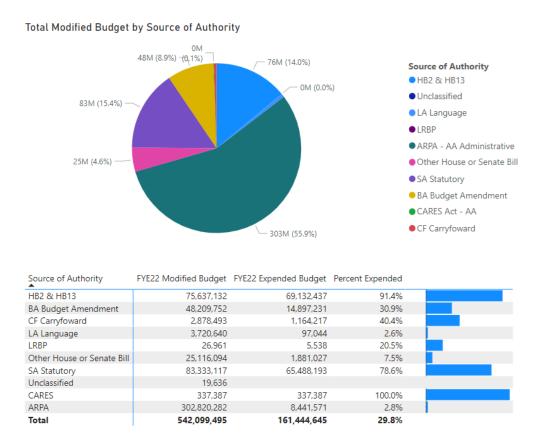
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FISCAL 2022 YEAR END REPORT

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the agency is shown in the pie chart below. HB 2 and HB 13 provide 14.0% of the total authority for this agency. All types of appropriation authority for this agency are described below, including total budget and the percent expended by source of authority.



Budget Amendments

Federal budget authority was increased by \$48.2 million to take advantage of several federal grants. The agency has expended 30.9% of the authority. Major projects funded through budget amendments include:

Department of Natural Resources and Conservation Budget Amendment Authority FYE 2022								
Project	Budgeted	Expended	Pct Exp					
Grants for fuel reduction and other forest management	14,632,109	4,171,692	28.5%					
FEMA Cooperating Technical Partners Program flood mitigation	9,318,340	4,167,884	44.7%					
Sate revolving funds drinking water loan forgiveness	8,439,944	2,715,830	32.2%					
Flood plain mapping of the Yellowstone, Big Horn, Tongue rivers and tributaries	4,799,999	1,634,843	34.1%					
Milk River rehabilitation project	4,530,000	734,275	16.2%					
State revolving funds for waste water loan forgiveness	3,979,292	600,000	15.1%					
Good neighbor authority	730,632	295,695	40.5%					
Water resource studies and drought planning	418,414	76,571	18.3%					
Dam safety	310,137	245,506	79.2%					
Other Federal Grants	1,050,885	254,935	24.3%					
Total Federal Budget Amendments	48,209,752	14,897,231	30.9%					

Carryforward

Of the \$2.9 million in carried forward authority from FY 2021, the agency expended \$1.2 million as follows:

State special revenue totaling \$891,00 for the following purposes:

- Water Rights Information System, \$433,200
- Trust lands administration, \$204,000
- Toston Dam operation and maintenance, \$190,800
- Other expenditures for personal services and operations, \$63,000

General fund expenditures for personal services and operating expenses totaled \$273,200.

Language

For the Department of Natural Resources and Conservation (DNRC), HB 2 language provides the agency with the flexibility to budget state special revenue for various purposes. Of the \$4.1 million available in HB 2, the agency has expended \$97,000 or 2.6% of this authority as follows:

- Repairing, improving, or rehabilitating department state water projects, \$66,500
- Repairing or replacing equipment at the Broadwater hydropower facility, \$20,500
- Trust lands road maintenance, \$10,100

Other Bills

Through other bills, the legislature approved expenditures totaling \$25.1 million for programs and projects within the conservation and resource development division. In FY 2022, 7.5% of the authority has been expended. A summary of authority from other house and senate bills is presented in the table below.

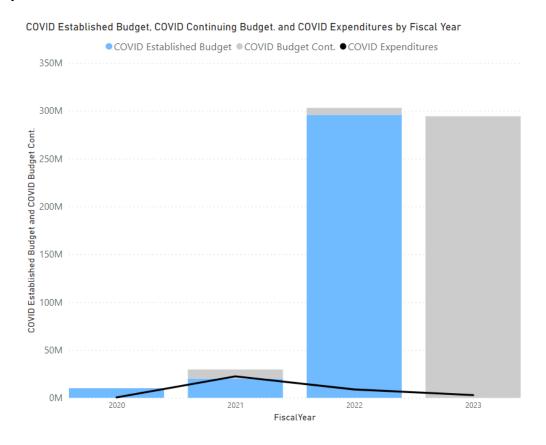
Department of Natural Resources and Conservation Appropriation Through Other House or Senate Bills								
State Special Revenue	Fund	Appropriated	Expended	% Expended				
HB 7 Reclamation and development Programs	Natural Resources Projects	\$4,073,833	\$0	0.0%				
HB 14 Renewable resource, reclamation and development grant programs	Natural Resources Projects	2,224,322	21,116	0.9%				
HB 10 Water rights Information System	Water Right Appropriation	451,757	347,380	76.9%				
HB 10 Trust lands management database programs	Trust Lands Administration	340,632	340,632	100.0%				
HB6 Renewable resource grant and loan program	Natural Resources Projects	651,530	75,000	11.5%				
	Total State Special	\$7,742,074	\$784,128	10.1%				
Capital Projects	Fund	<u>Appropriated</u>	Expended	% Expended				
HB 540 bonding for the Saint Mary's water project improvements	DNRC Capital Projects Fund	\$6,821,074	\$246,418	3.6%				
HB 540 Fort Belknap water compact infrastructure	DNRC Capital Projects Fund	9,500,000	-	0.0%				
HB 10 Water rights, and Trust lands management capital projects	Long Range IT Projects	1,052,946	850,841	80.8%				
-	Total Capital	\$17,374,020	\$1,097,259	6.3%				
Total Other House and Senate Bills	Total Funding	\$25,116,094	\$1,881,387	7.5°				

Long Range Building and Planning

The agency has expended \$5,538 of \$26,961 authorized under HB 5 for maintenance in Havre area office in the Forestry and Trust Lands Division.

COVID-19 Authority

The following chart is provided to allow the legislature to examine the funding that is available to the agency for COVID-19 impacts.



The FY 2022 budget for Covid-19 for the agency is \$303.2 million.

- Unexpended authority from FY 2021: \$7.2 million, 100% expended
 - o CARES I, \$338,000, 100% expended
 - o HB 632 American Rescue Plan, \$6.9 million, 100% expended
- HB 632, American Rescue Plan budgeted for FY 2022: \$295.8 Million, 0.5% or \$1.6 million expended

HB 632 creates two grant programs for water and sewer projects, a Competitive Grant Program and a Minimum Allocation Grant Program. The DNRC is responsible for reviewing and ranking projects, as well as recommending them for funding to the Infrastructure Advisory Commission. The agency will have \$294.4 million available for FY 2023.

Statutory Appropriations

Statutory appropriations are set in statute and do not require authorization by the legislature each biennium. Although the agency may include expenditure estimates in their budget, they expend the authority at a level sufficient to meet the requirements of the statute that created the authority. The Department of Natural Resources and Conservation has statutory authority for state special and federal revenues; the expenditures are discussed below.

State Special Revenue - Total Expenditures

Wildfire suppression account - (76-13-150, MCA)

The wildfire suppression account is statutorily appropriated for fire suppression, fuel reduction, and fire suppression equipment. The Department of Natural Resources and Conservation and the Department of Military Affairs have expended \$56.0 million fighting fires on 345,000 acres of state and county land in Montana; a total of 940,000 acres of state and federal land burned in FY 2022. The agency also spent \$542,500 on Montana Forest Action Plans and fire suppression equipment for county fire agencies, leaving an ending fund balance of \$49.6 million. This is the highest expenditure since the summer of 2017 when 1.4 million acres of land burned, and the state expended \$64.0 million on wildfires on 400,000 acres of state and county land.

Sage grouse stewardship account - (87-5-909, MCA)

The sage grouse stewardship account is statutorily appropriated to maintain, enhance, restore, expand, or benefit sage grouse habitat and populations. In FY 2022, the fund had \$4.5 million in compensatory mitigation revenues; there were no expenditures. The fund ended the fiscal year with a balance of \$5.7 million.

Oil and gas production damage mitigation account – (82-11-161, MCA)

The oil and gas production damage mitigation account is statutorily appropriated to cover the reasonable restoration costs when the Montana Board of Oil and Gas determines that the site has been abandoned and that the responsible party cannot be identified or located or refuses to take proper action. Restoration may include properly plugging wells and either reclaiming or restoring a drill site or other production area damaged by oil and gas operations. In FY 2022, the agency expended \$535,000 from this account.

Good Neighbor Authority State Special Revenue (76-13-151, MCA)

The account is statutorily appropriated to carry out the provisions of the good neighbor policy. The agency expended \$235,000 from this fund in FY 2022.

Other statutorily appropriated state special revenue

The agency expended \$209,700 from other accounts that are statutorily appropriated for wastewater projects, drinking water projects, trust land administration, Montana Statue University (MSU) Morrill trust administration, and SLASH cleanup.

Federal Special Revenue - Total Expenditures

Federal reimbursements for fire suppression (10-3-203, MCA)

The agency received reimbursement from the federal government for state fire suppression efforts on federal lands totaling \$11.3 million. These revenues are statutorily appropriated to pay the costs of those efforts.

Good Neighbor Authority (76-13-151, MCA)

The Good Neighbor Authority (GNA) allows the USDA Forest Service to enter into agreements with the DNRC forestry and trust land division to perform forest management and restoration work on federal lands.

In FY 2022, the GNA program has had nine timber sales that will treat over 4,700 acres and produce 28 million board feet of timber and generate about \$4.8 million. By the end of the fiscal year, the agency anticipates an additional three timber sales generating 3.2 million board feet.

During the current fiscal year, the agency is using revenue from timber sales to manage thirteen restoration projects throughout the state.

HB 2 BUDGET MODIFICATIONS

The following chart shows the HB 2 budget as passed by the legislature, including the pay plan, and the HB 2 modified budget for FY 2022. Net modifications to the budget include operating plan changes from one expenditure account to another, program transfers, reorganizations, and agency transfers of authority. The positive modifications and negative modifications are shown by program, expenditure account, and fund type.

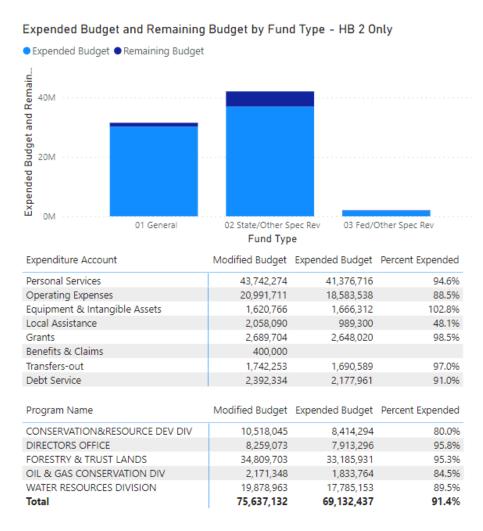
Agency Name	Starting Budget	Prior Period Modifications	Legislative Budget	Net Modifications	Modified Budget	
Dept Nat Resource/Conservation	75,755,645	-118,513	75,637,132	0	75,637,132	
CONSERVATION&RESOURCE DEV DIV	10,630,196	-100,601	10,529,595	-11,550	10,518,045	
DIRECTORS OFFICE	8,201,338	2,735	8,204,073	55,000	8,259,073	
FORESTRY & TRUST LANDS	34,854,499	-14,546	34,839,953	-30,250	34,809,703	
OIL & GAS CONSERVATION DIV	2,171,639	-291	2,171,348	0	2,171,348	
WATER RESOURCES DIVISION	19,897,973	-5,810	19,892,163	-13,200	19,878,963	
Total	75,755,645	-118,513	75,637,132	0	75,637,132	·
Expenditure Account	Starting Budget	Prior Period Modifications	Legislative Budget	Net Modifications	Modified Budget	
61000 Personal Services	43,880,814	55,460	43,936,274	-194,000	43,742,274	
62000 Operating Expenses	22,917,677	-1,780,966	21,136,711	-145,000	20,991,711	
63000 Equipment & Intangible Assets	1,451,766	0	1,451,766	169,000	1,620,766	
65000 Local Assistance	2,058,090	0	2,058,090		2,058,090	
66000 Grants	2,537,714	0	2,537,714	151,990	2,689,704	
67000 Benefits & Claims	400,000		400,000		400,000	
68000 Transfers-out	1,724,243	0	1,724,243	18,010	1,742,253	
69000 Debt Service	785,341	1,606,993	2,392,334		2,392,334	
Fund Type	Starting Budget	Prior Period Modifications	Legislative Budget	Net Modifications	Modified Budget	
01 General	31,513,802	-12,590	31,501,212	0	31,501,212	
02 State/Other Spec Rev	42,130,363	-62,440	42,067,923	0	42,067,923	
03 Fed/Other Spec Rev	2,111,480	-43,483	2.067.997		2.067.997	

The total agency budget was unchanged in the last quarter.

Changes in the operating plan moved \$339,000 in general fund, state special revenue, and federal funds from personal services and operating expenses to grants, equipment, and intangible assets. Program transfers moved \$55,000 in general fund to the director's office from other programs.

HB 2 Appropriation Authority

The following chart shows the appropriated budget for the agency compared to expenditures through June 30, 2022.



The department is primarily funded with general fund and state special revenue. The general fund supports 41.7% of the budget, state special revenue supports 55.6%, and federal funds support 2.7%.

The agency has expended 91.4% of the budget through fiscal year end; this compares to an expenditure rate of 89.5% in the three previous biennia. The table below compare expenditure rate for FY 2022 with expenditure rates over the previous three biennia by fund type.

Expenditure Rates Compared to Previous Biennium Department of Natural Resources and Conservation							
	Previous Three Biennium	FYE 2022					
General Fund	96.8%	95.9%					
State Special Revenue	83.6%	87.9%					
Federal Special Revenue	95.5%	93.9%					

State special revenue accounts that support grants or loan programs are often unexpended due to lack of demand or insufficient revenues to support HB 2 authority.

Personal Services

The personal services budget, funded primarily with general fund and state special revenue, accounts for 57.8% of the total budget, supporting 539.6 FTE. The agency has expended 94.6% of this budget in FY 2022. In the last three biennia, the agency averaged 94.5%.

Operating Expenses

The budget for operating expenses accounts for 27.8% of the total budget and is supported primarily with state special revenue and general fund. The agency expended 88.5% of the budget for operating expenses, compared to an average of 84.0% over the previous three biennia.

Benefits and Claims

The agency has budgeted \$400,000 in state special revenue for drinking water loan forgiveness. The agency can fund this program from federal sources outside of HB 2 and, as a result, has not expended against this authority for several biennia.

Grants

Grants of state special revenue, primarily to conservation districts, were 98.5% expended for the fiscal year. This compares to an average expenditure rate of 97.2% in previous biennia.

Transfers

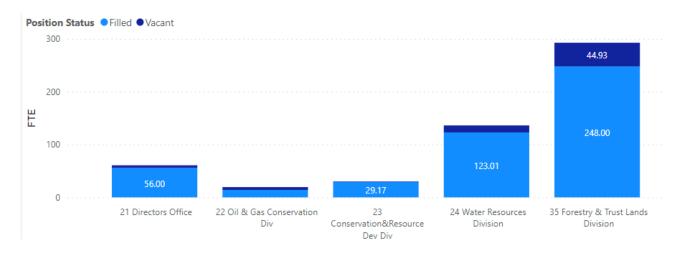
The agency has expended 97.0% of the funds budgeted for transfers for the fiscal year; this rate is in line with previous biennia. Expenditures include a transfer of \$1.1 million in general fund and \$0.5 million in state special revenue to a proprietary fund to pay for air operations.

Debt Service

Debt service, funded with 72.6% with state special revenue and 27.4% general fund, was 91.0% expended, in line with previous biennia. The debt service is primarily for water projects.

Personal Services

The following chart shows the filled and vacant FTE within the agency as of fiscal year end.



The Department of Natural Resources and Conservation has 539.61 FTE funded in HB 2:

- Director's office 60.00 FTE
- Oil and gas conservation division 19.50 FTE
- Conservation and resource development division 30.17 FTE
- Water resources division 136.26 FTE
- Forestry and trust lands division 293.68 FTE

Of the total hours available, the agency has utilized 104.4%. The forestry and trust land division utilized 111.8% of budgeted hours. The high utilization rate in the forestry and trust land division is due to personnel involved in fire suppression activities. Excluding positions involved in fire suppression, forestry had a utilization rate of 93.6%. All other programs combined had a utilization rate of 94.7%.

The agency currently has 69.43 FTE vacant, an increase of 26.03 FTE since June. The forestry division has the most vacancies, 23.65 FTE. The average vacancy has been 4.9 months. The table below summarizes the vacancies for the agency at FYE.

Department of Natural Resources and Conservation Vacancies at Fiscal Year End 2022							
Conservation and Resource Develp	FTE	Months Vacant	Years Vacant	Forestry & Trust Lands Division Cont.	FTE	Months Vacant	Years Vacant
Administrative Assistant 3	1.00	0.2	0.0	Helicopter Coordinator	0.50	1.0	0.1
Division Total 1	1.00	0.2	0.0	Helicopter Manager	0.50	1.0	0.1
		0.2	0.0	Helicopter Manager	0.50	1.0	0.1
Director's Office	FTE	Months Vacant	Years Vacant	Lead Crew Member	0.50	1.0	0.1
Emergency Specialist 1	0.75	13.0	1.1	Forestry Technician	0.50	12.2	1.0
Lawyer 2	1.00	5.6	0.5	Fire Operations Specialist	0.50	1.0	0.1
GIS Specialist 3	1.00	3.1	0.3	Fuel Truck Driver	0.50	1.0	0.1
Computer All Other	1.00	2.5	0.2	Senior Engine Boss	0.50	1.0	0.1
IT Security Specialist 2	1.00	13.0	1.1	Senior Engine Boss	0.50	1.0	0.1
Division Total 1	4.75	7.1	0.6	Fire Adapted Comm. Coord.	0.50	1.0	0.1
Division Total	4.75	7.1	0.6				
011 1 0 0				Fire Adapted Comm. Coord.	0.50	1.0	0.1
Oil and Gas Conservation Division	<u>FTE</u>	Months Vacant	Years Vacant	Helicopter Manager	0.50	1.0	0.1
Administrative Assistant 2	1.00	3.7	0.3	Fuel Truck Driver	0.50	1.0	0.1
OIL & GAS CONSER BD-PROF	1.00	96.9	8.1	Senior Engine Boss	0.50	1.0	0.1
Program Supervisor	1.00	2.8	0.2	Senior Engine Boss	0.50	1.0	0.1
Data Processor 1	0.50	69.8	5.8	Senior Engine Boss	0.50	1.0	0.1
Environmental Field Tech 2	1.00	8.0	0.1	Senior Engine Boss	0.50	1.0	0.1
Environmental Field Tech 2	1.00	1.9	0.2	Senior Engine Boss	0.50	1.0	0.1
Division Total ¹	5.50	25.6	2.1	Senior Engine Boss	0.50	1.0	0.1
				Helicopter Manager	0.50	1.0	0.1
				Lead Crew Member	0.50	1.0	0.1
Water Resources Division	FTE	Months Vacant	Years Vacant	Senior Engine Boss	0.50	1.0	0.1
Research Analyst 3	1.00	7.0	0.6	Senior Engine Boss	0.50	1.0	0.1
Hydrologist 2	1.00	13.0	1.1	Lead Crew Member	0.50	1.0	0.1
Compliance Manager	1.00	6.7	0.6	Helicopter Manager	0.50	1.0	0.1
Compliance Specialist 3	0.75	3.7	0.3	Forestry Technician	0.50	4.1	0.3
Hydrologist 3	1.00	2.8	0.2	Biologist 2	1.00	0.9	0.1
Research Analyst 1	0.50	11.0	0.9	Forester 2	1.00	13.0	1.1
Regional Water Planner	1.00	0.8	0.1	Forester 2	1.00	13.0	1.1
Hydrologist 1	1.00	1.9	0.2	Forester	1.00	2.4	0.2
Administrative Assistant 3	1.00	0.5	0.0	Forester	1.00	1.9	0.2
Compliance Technician 1	1.00	0.7	0.1	Biologist 2	1.00	2.8	0.2
Compliance Supervisor	1.00	0.1	0.0	Aviation Officer	1.00	1.0	0.1
Engineering Analyst 2	1.00	1.9	0.2	Rural Fire Coordinator	0.70	1.0	0.1
Compliance Specialist 3	1.00	0.9	0.1	Rural Fire Coordinator	1.00	1.0	0.1
Water Conservation Specialist1	1.00	3.7	0.3	Comm. Preparedness and Fire Pr	0.70	1.0	0.1
Division Total ¹	13.25	3.6	0.3	Comm. Preparedness and Fire Pr	1.00	1.0	0.1
Difficient folds	10.20	0.0	0.0	Area Aviation Officer	1.00	1.0	0.1
Forestry & Trust Lands Division	FTE	Months Vacant	Years Vacant	Program Specialist 2	0.88	1.0	0.1
Program Officer 1	1.00	2.7	0.2	Fire Business	0.60	1.0	0.1
Program Officer 1 Program Specialist	1.00	4.2	0.2	Communications Technologist 1	1.00	1.0	0.1
Real Property Supervisor	1.00	6.0	0.5	Asst Center Manager	1.00	1.0	0.1
	0.50	3.8	0.5	3		1.0	0.1
Administrative Assistant 2			0.3	Science Technician All Other	1.00	1.8 2.8	0.2
Program Supervisor	1.00	10.7		Business Executive	1.00		
Forester	1.00	2.8	0.2	Forester	1.00	0.6	0.0
Forester	1.00	2.0	0.2	Hydrologist 2	1.00	0.5	0.0
Forester	1.00	0.9	0.1	Forestry Technician	1.25	3.2	0.3
Range Conservation Scientist 1	1.00	2.4	0.2	Science Technician All Other	0.25	1.0	0.1
Dispatcher 1	1.00	6.3	0.5	Division Total ¹	44.93	2.6	0.2
Wildland Firefighter 3	0.75	2.8	0.2				
Forestry Technician	0.80	2.4	0.2	_	FTE	Months Vacant	Years Vacan
Fuel Truck Driver	0.50	1.0	0.1	Agency Total	69.43	4.9	0.4

¹ Division Totals for months and days vacant are weighted averages

Turnover and payroll adjustments

In FY 2022, forty-two employees have left state employment, thirty-one have retired, and ten transferred to new agencies.

The agency adjusted pay for 257 positions to increase annual personal services cost by \$626,300 annually. Pay adjustments include:

- Longevity 128
- Retention Adjustment 47
- Market 32

- Performance 18
- Reclassification 12
- Career Ladder 9
- Correct inaccurate pay 4
- Exempt and Appointed Employee 3
- Training Assignment Progression 2
- Demotion 1
- Promotion 1

Status of Line-Itemed Decision Packages, 2021 Legislature

The table below summarizes the agency's expenditures against legislative appropriations for decision packages that appear as line items in HB 2. A detailed discussion of each decision package is provided below.

Department of Natural Resources and Conservation									
Legislative Appropriation and Expenditures Year to Date for FY 2022									
	Legislative			Percent					
Decision Package	Appropriation	<u>Budgeted</u>	Expended	Expended					
DP 2318 - Lake Elmo Restoration (Restricted/One-Time-Only)	\$50,000	\$50,000	\$50,000	100.0%					
DP 2319 - Conservation District AlS Check Stations (Restricted) ¹	100,000	-	-	0.0%					
DP 2404 - WRD Flow Measurement Equipment (Restricted/One-Time-Only)	98,700	98,700	98,700	100.0%					
DP 2405 - CSKT Montana Compact Implementation Restricted Portion	100,000	100,000	100,000	100.0%					
Total of HB 2 Line Itemed Decision Packages	\$348,700	\$248,700	\$248,700	100.0%					

¹ This authority was appropriated to DNRC and was transferred to FWP for expenditure on AlS Check Stations

DP 2318 - Lake Elmo Restoration (RST/OTO)

FY 2022 - \$50,000 State Special Revenue

FY 2023 - \$50,000 State Special Revenue

The legislature approved an appropriation from the environmental contingency state special revenue account to fund aquatic invasive species eradication at Lake Elmo in Yellowstone County. The project will be administered by the Yellowstone County Conservation District. At fiscal year-end, this authority has been 100.0% expended.

DP 2319 - Conservation District AIS Check Stations (Restricted)

FY 2022 - \$100,000 State Special Revenue

FY 2023 - \$100,000 State Special Revenue

The legislature approved an increase in appropriation from the environmental contingency state special revenue account to fund aquatic invasive species (AIS) check stations operated by conservation districts. The agency has transferred this authority to the Department of Fish, Wildlife, and Parks, which manages the AIS check station program.

DP 2404 - WRD FLOW MEASUREMENT EQUIP (RST/OTO)

FY 2022 - \$98,700 State Special Revenue

The legislature approved a one-time-only increase in state special revenue to purchase equipment to measure flows into reservoirs and canals. As of fiscal year end, the agency has expended 100.0% of this authority.

DP 2405 - CSKT -MONTANA COMPACT IMPLEMENTATION Restricted Portion

FY 2022 - \$100,000 General Fund

FY 2023 - \$100,000 General Fund

The legislature restricted \$100,000 in each year of the biennium to implement the Montana Environmental Policy Act (MEPA)(75-1-102, MCA), National Environmental Protection Act (NEPA)(42 U.S.C. §§ 4321 et seq.), and the protection and administration of state-based water rights. As of fiscal year end, the agency has expended 100.0% of this authority.