

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis
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## Estimated Cash Receipts

Agency Name	2007-09		2009-11		2011-13	
	GF- State	Total	GF- State	Total	GF- State	Total
<b>Total \$</b>						

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

## Estimated Expenditures

Agency Name	2007-09			2009-11			2011-13		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Community, Trade, and Economic Development	.3	98,788	98,788	.0	0	0	.0	0	0
Department of General Administration	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	2.8	521,000	521,000	2.8	516,000	516,000	2.8	512,000	512,000
Department of Corrections	1.0	0	158,078	1.0	0	150,730	1.0	0	150,730
Department of Archaeology and Historic Preservation	1.0	274,000	274,000	1.0	268,000	268,000	1.0	268,000	268,000
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Ecology	2.5	530,407	530,407	1.5	293,862	293,862	1.5	293,862	293,862
State Parks and Recreation Commission	.0	4,242	4,242	.0	1,828	1,828	.0	1,828	1,828
State Conservation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	392,710	392,710	.0	397,210	397,210	.0	392,710	392,710
Department of Natural Resources	4.1	923,200	1,846,300	3.7	868,400	1,736,800	3.7	868,400	1,736,800
Department of Agriculture	.6	697,000	697,000	.6	546,000	546,000	.6	546,000	546,000
<b>Total</b>	12.3	\$3,441,347	\$4,522,525	10.6	\$2,891,300	\$3,910,430	10.6	\$2,882,800	\$3,901,930

Local Gov. Courts *									
Local Gov. Other **	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Total									

\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID: 16778

<b>Prepared by:</b> Jim Cahill, OFM	<b>Phone:</b> 360-902-0569	<b>Date Published:</b> Revised 2/28/2007
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID: 16778

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 103-Community, Trade & Economic Develop
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.3	0.2	0.3	0.0	0.0
<b>Fund</b>					
General Fund-State 001-1	74,995	23,793	98,788	0	0
<b>Total \$</b>	74,995	23,793	98,788	0	0

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Karin Berkholtz	Phone: 360-725-3065	Date: 01/30/2007
Agency Approval: Nancy Ousley	Phone: (360)725-3003	Date: 02/02/2007
OFM Review: Mike Woods	Phone: 360-902-9819	Date: 02/05/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

House Bill 1355 amends the State Environmental Policy Act (SEPA) by adding human health considerations to the SEPA checklist. The definition of human health impacts includes physical, mental, economic and social well-being.

Section 2(1) directs all branches of government in this state to administer the policies, rules and laws of the state in accordance with this chapter to ensure integrated use of natural and social sciences and environmental design arts in planning and decision making; requires that the unquantifiable environmental and human health amenities and values be considered in decision making; that recommendations by responsible officials consider human health impacts of a proposed action and statements of unavoidable environmental and human health effects; develop alternative actions; consult with other units of government and other countries regarding environmental and human health effects, including cumulative effects; and adds a definition of human health: "Human health" includes the consideration of physical, mental, economic, and social well-being and not merely the absence of disease and infirmity."

Section 3 adds health impacts to the required elements in an environmental impact statement, including environmental impacts statements for planned actions.

Section 4 states that lead agencies are also to review documents to ensure consideration of human health impacts of a proposed action.

Section 5 is a statement that governmental actions denied or conditioned based on SEPA may consider human health impacts in addition to environmental impacts.

Section 6 states that any appeals to human health, in addition to environmental, considerations in SEPA decisions be linked to a specific governmental action.

Section 8 states that jurisdictions planning under the Growth Management Act (GMA) must determine that requirements for environmental analysis, protection, and mitigation measures in local jurisdiction's development regulations and comprehensive plans provide adequate analysis and mitigation for specific adverse health, as well as environmental, impacts of project actions.

Assumption: Local jurisdictions impacted by section 8 would require CTED's assistance in accomplishing the provisions of this section.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

None.

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Section 8:

The Department of Community, Trade and Economic Development (CTED) would need to amend guidance and technical assistance bulletins related to State Environmental Policy Act/Growth Management Act (SEPA/GMA) integration. This

section affects CTED guidance on these subjects, requiring revisions to guidebooks, technical assistance bulletins, and training materials.

CTED will provide technical and financial assistance to local governments in meeting this requirement. Traditionally, CTED has provided technical assistance through direct communication, site visits, regional presentations and technical guidance documents. CTED planning specialists recommend methods and techniques for consolidating and streamlining the SEPA process and preparing development regulation and comprehensive plan amendments involving environmental protection and mitigation measures. CTED will first need to notify all local governments of this new requirement through existing channels. This will not involve new expenditures.

CTED will produce the initial guidance in the 2007-09 Biennium so that local governments have something to use.

FTE, Salary and Benefits: 0.3 FTE CTED Specialist 3 and \$23,414 in FY08, 0.2 FTE CTED Specialist 3 and \$15,609 in FY09. Staffing for the initial one-time costs, at 0.3 FTE, would include review and approval of the personal services contract. The subsequent cost in FY09, at 0.2 FTE, would include completion of the initial technical guidance update in the second year. On-going technical assistance will be absorbed into the agency's direct assistance function.

Personal Services Contract: FY 2008 \$40,000 for one-time costs, including consultant services, graphics layout, printing, and distribution. CTED will use a personal service contract to produce the initial guidance document and conduct the training workshops. A complete guidebook would not be required, but a technical guidance document including examples of countywide planning policies would be appropriate. A technical guidance document is typically 17-20 pages and is distributed electronically. This document would be released at a series of three one-day workshops held throughout the state.

Travel: FY08 \$545 for mileage reimbursement, meals and lodging. This cost assumes four statewide workshops (Everett, Ellensburg, Spokane, and Vancouver), based on locations for prior CTED workshops, with total roundtrip mileage of 1,326. Two of the four trips involve overnight lodging in Central and Eastern Washington.

#### Goods and Services (G&S)

FY08 \$11,036

-standard G&S \$8,277

-space and utilities \$2,759

-non-standard G&S \$0

FY09 \$8,184

-standard G&S \$5,425

-space and utilities \$2,759

Note: Standard goods and services costs include supplies and materials, employee development and training, agency administration, mandatory state seat of government and Department of Personnel charges, and CTED agency administration. CTED agency administration costs are allocated to programs depending on the complexity and/or volume of work required for each program. The cost indicators used to determine complexity and volume of work are: the number of contracts administered, the number of FTEs working on a program, and the number of separate budget reporting codes (i.e., separate cost centers or accounts). CTED administration provides general standard governmental services including, but not limited to: budgeting, accounting, payroll, and purchasing services; personnel and employee services; internal information technology systems, desktop and network support services; facilities management services; legislative and public affairs services; policy and risk management services; and other support services.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.3	0.2	0.3		
A-Salaries & Wages	18,011	12,007	30,018		
B-Employee Benefits	5,403	3,602	9,005		
C-Personal Serv Contr	40,000		40,000		
E-Goods and Services	11,036	8,184	19,220		
G-Travel	545		545		
J-Capital Outlays					
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimbursement					
T-Intra-Agency Reimbursement					
<b>Total:</b>	\$74,995	\$23,793	\$98,788	\$0	\$0

**III. B - Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Comm, Trade and Econ Dev	60,036	0.3	0.2	0.3		
Specialist 3						
Various Administrative Services	55,515					
<b>Total FTE's</b>		0.3	0.2	0.3		0.0

### III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Agency Administration (100)	6,827	4,459	11,286		
Local Government (600)	68,168	19,334	87,502		
<b>Total \$</b>	74,995	23,793	98,788		

## Part IV: Capital Budget Impact

None.

## Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 150-Dept of General Administration
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## Part I: Estimates

☒ **No Fiscal Impact**

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Keith Williams	Phone: 360 902-7222	Date: 01/30/2007
Agency Approval: Fay Bronson	Phone: 360-902-7336	Date: 02/02/2007
OFM Review: Rochelle Klopfenstein	Phone: 360-902-9820	Date: 02/05/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Currently, agencies are required to conduct/produce an environmental impact statement (EIS) whenever we propose legislation or other major actions that would have a probable significant, adverse environmental impact. This legislation would add "human health" as a further consideration when conducting environmental impact statements.

"Human health" includes the consideration of physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.

For the 2007/2009 biennium and beyond, General Administration (GA) is not aware of any capital projects that will likely require us to prepare environmental impact statements.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

## Part III: Expenditure Detail

## Part IV: Capital Budget Impact

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 300-Dept of Social and Health Services
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## Part I: Estimates

☒ **No Fiscal Impact**

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Sarian Scott	Phone: (360) 902-7769	Date: 01/30/2007
Agency Approval: Sue Breen	Phone: 360-902-8183	Date: 02/02/2007
OFM Review: Eric Mandt	Phone: 360-902-0543	Date: 02/02/2007

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.9	2.8	2.8	2.8	2.8
<b>Fund</b>					
General Fund-State 001-1	265,000	256,000	521,000	516,000	512,000
<b>Total \$</b>	265,000	256,000	521,000	516,000	512,000

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Catherine Suter	Phone: 360-236-4544	Date: 01/18/2007
Agency Approval: Patty Steele	Phone: 360-236-4530	Date: 02/07/2007
OFM Review: Nick Lutes	Phone: 360-902-0570	Date: 02/08/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

This bill adds the term “human health” to environmental concerns in chapter 43.21C RCW- State Environmental Policy Act (SEPA), with the effect of adding human health analysis to the SEPA review and environmental impact statement (EIS) process. The definition of human health includes consideration of physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.

Section 2: Requires that in the case of legislation or other major governmental action, an official who is responsible for the action will consult with and obtain the comments of any public agency which has special expertise with respect to human health impacts, as well as environmental impacts. When filing SEPA documents, that responsible official will include a statement regarding any environmental and human health impact which will be made available to the Department of Health (DOH).

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Under current law, the Department of Ecology (ECY) receives and reviews all SEPA documents, and consults with officials regarding potential environmental impacts of projects. DOH assumes that adding “human health” analysis to the SEPA process will result in officials similarly consulting with DOH regarding potential “human health” impacts of a project.

ECY reports receiving 10,000 SEPA documents in 2006, 65 of which were draft EIS which require significant departmental consultation and training. DOH assumes that adding the broad “human health” considerations will increase the number of projects or actions that must complete an EIS. The number is indeterminate but DOH assumes there will now be 300 draft EIS per year. DOH expects to receive consultation requests regarding appropriate health impact analysis models from officials in the initial SEPA checklist stage, during EIS reviews, and for some appeals.

Section 2: Beginning in FY 2008 and ongoing, DOH will require 2.0 FTE Health Services Consultant (HSC) 4 staff who are experienced in health impact analysis to develop health impact analysis methods and tools and respond to inquiries from applicants, lead agencies, and responsible officials about whether a proposed project will have an adverse health impact. Since current volumes at ECY indicate up to 10,000 SEPA documents in a year, DOH assumes that there will be questions during the first two years regarding health impacts on 5,000 documents a year. For FY 2008 and FY 2009 the specific activities for each of these staff are as follows:

1.0 FTE HSC 4 will develop health impact analysis tools and respond to 50 percent of the inquiries. 1.0 FTE HSC 4 will advise ECY on rule changes to chapter 197-11 necessary to implement the bill and update chapter 246-03 (DOH SEPA rules) to reflect the new Ecology rules. This FTE will also respond to 50 percent of the inquiries. 0.25 FTE Secretary Administrative will be required as support staff for these activities.

Beginning in FY 2010, the work for these staff will shift from developing analysis tools and rules to regular training, outreach and consultation to lead agencies, responsible officials, and applicants on how to use the health impact analysis

tools. DOH expects the volume of inquiries to diminish as on-going training efforts increase, but still anticipates on-going questions on 2,500 documents a year. As a result of the rule changes to chapter 197-11 WAC incorporating health impacts to SEPA (rules made by ECY), DOH anticipates being the lead agency on one project a year, as well as conducting SEPA review on two non-project actions, such as rules, each year. For FY 2010 and ongoing, staff activities are as follows:

1.0 FTE HSC 4 will be required for training efforts and responding to 50 percent of the inquiries. These training efforts will require at least 4 trainings around the state each year with associated travel and meeting room costs. 1.0 FTE HSC 4 will respond to the other 50 percent of the inquiries, support activities related to being lead agency for one project, and conduct the two SEPA reviews for non-project actions. 0.25 FTE Secretary Administrative costs will be required as support staff for these activities.

DOH expects to require Office of Attorney General services to assist with legal issues arising from the addition of "human health" to SEPA review, but the number of hours that will be required is difficult to determine. A conservative estimate of 80 hours per year is reflected in this fiscal note, though 200 hours per year is also a reasonable estimate.

In FY 2008, estimated expenditures include salary, benefit, and related staff costs for a 0.20 FTE Health Services Consultant 2 and a 0.40 FTE Financial Analyst 2 to assist with increased administrative workload. In FY 2009 and ongoing, estimated expenditures include 0.20 FTE Health Services Consultant 2 and 0.30 FTE Financial Analyst 2.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.9	2.8	2.8	2.8	2.8
A-Salaries and Wages	157,000	153,000	310,000	307,000	306,000
B-Employee Benefits	45,000	43,000	88,000	86,000	86,000
C-Personal Service Contracts					
E-Goods and Services	45,000	49,000	94,000	98,000	98,000
G-Travel	6,000	6,000	12,000	12,000	12,000
J-Capital Outlays	7,000		7,000	3,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	5,000	5,000	10,000	10,000	10,000
<b>Total:</b>	\$265,000	\$256,000	\$521,000	\$516,000	\$512,000

#### III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Financial Analyst 2	42,477	0.4	0.3	0.4	0.3	0.3
Health Services Consultant 2	48,037	0.2	0.2	0.2	0.2	0.2
Health Services Consultant 4	61,497	2.0	2.0	2.0	2.0	2.0
Secretary Administrative	37,540	0.3	0.3	0.3	0.3	0.3
<b>Total FTE's</b>		2.9	2.8	2.8	2.8	2.8

### Part IV: Capital Budget Impact

### Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 2: DOH must update chapter 246-03 WAC (DOH SEPA rules) to be consistent with new ECY rules implementing this bill. This will take place in FY 2009, after ECY has adopted rules to incorporate "human health" analysis into the environmental review process.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Fund</b>					
State Building Construction Account-State 057-1	82,713	75,365	158,078	150,730	150,730
<b>Total \$</b>	82,713	75,365	158,078	150,730	150,730

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Ronna Cole	Phone: 360-725-8263	Date: 02/05/2007
Agency Approval: Randi Warick	Phone: 360-725-8270	Date: 02/06/2007
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/07/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Section 1 adds a new section to RCW 43.21C requiring analysis of a wide range of alternatives based on the best available science.

Section 2 amends RCW 43.21C.030 to include human health in environmental reviews. This section defines human health as the consideration of physical, mental, economic, and social well being and not merely the absence of disease or infirmity.

Section 3 amends RCW 43.21C.031 to include human health with environmental impact statements.

Section 4 amends RCW 43.21C.034 to include human health with documents addressing environmental considerations.

Section 5 amends RCW 43.21C.060 to include human health with environmental impacts.

Section 6 amends RCW 43.21C.075 to include human health with environmental considerations with public decisions.

Section 7 amends RCW 43.21C.110 to include human health in potential major actions significantly affecting the quality of the environment.

Section 8 amends RCW 43.21C.240 to include human health in the requirements of this section.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Over the past biennium DOC reviewed approximately 70 projects for compliance with the State Environmental Protection Act (SEPA) compliance. Of these, eleven projects required preparation of a SEPA checklist, completion of a threshold determination, compliance with public notice requirements and consideration of any public comments. Projects determined to be significant under SEPA must go through the full Environmental Impact Statement (EIS) process--this was completed for two projects over the past biennium.

DOC currently has one position dedicated to SEPA compliance. This proposal would expand SEPA review to include human health, which is defined to include mental, physical, economic, and social well being. This broader SEPA review spectrum is very likely to have a significant workload impact on DOC.

This legislation expands the scope of review for every project and non-project action subject to State Environmental Policy Act (SEPS) for the Department. The Department would require one additional position at an Environmental Specialist level to incorporate the proposed changes into the environmental review and impact statements. The Department estimates fiscal year 2008 costs to be \$ 82,713, this includes associated start up costs. The Department estimates each subsequent years cost to be \$ 75,365.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	55,568	55,568	111,136	111,136	111,136
B-Employee Benefits	15,045	15,045	30,090	30,090	30,090
C-Personal Service Contracts					
E-Goods and Services	6,500	4,152	10,652	8,304	8,304
G-Travel	600	600	1,200	1,200	1,200
J-Capital Outlays	5,000		5,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
<b>Total:</b>	\$82,713	\$75,365	\$158,078	\$150,730	\$150,730

### III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Environmental Specialist	55,568	1.0	1.0	1.0	1.0	1.0
<b>Total FTE's</b>		1.0	1.0	1.0	1.0	1.0

### III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Capital Programs (900)	82,713	75,365	158,078	150,730	150,730
<b>Total \$</b>	82,713	75,365	158,078	150,730	150,730

## Part IV: Capital Budget Impact

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 355-Dept of Arch and Hist Preservation
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
<b>Fund</b>					
General Fund-State 001-1	140,000	134,000	274,000	268,000	268,000
<b>Total \$</b>	140,000	134,000	274,000	268,000	268,000

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Allyson Brooks	Phone: 360-586-3066	Date: 01/31/2007
Agency Approval: Randy Todd	Phone: 360-664-7667	Date: 02/01/2007
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/02/2007



## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

HB 1355 requires that "human health" be assessed as part of SEPA reviews. The bill defines human health as including mental and social well-being. The Department of Archaeology and Historic Preservation has been part of many projects where impacts to cultural resources (i.e. archaeological sites, cultural or sacred places, historic places of worships such as churches) have a severe emotional impact on a tribal nation or community. Currently, these types of situations are only addressed under the National Historic Preservation Act of 1966 (as amended) when there is federal involvement. This bill would require a similar type of consultation to occur on state or locally proposed projects. The Department of Archaeology and Historic Preservation currently has two archaeologists that work on federally funded or permitted projects and are available to meet with Tribes or communities when there is a concern over impacts to cultural resources. Both positions are currently functioning at capacity.

This bill would add a similar component to SEPA. Currently, DAHP has one assistant state archaeologist that is responsible for reviewing approximately 4,000 SEPA documents/check lists per year. This archaeologist is also required to issue archaeological permits and assess civil penalties. Based on 06 results, about 1,000 of proposed state or local projects have the potential to impact cultural resources. In those cases, in order to meet the requirements of HB 1355, DAHP would need to meet directly with tribal governments and affected communities to assess the loss of a cultural, sacred or historic place on their mental and/or social well-being. The assessment cannot be done through a WEB based survey, letters or phone calls as tribal governments, tribal cultural committees and tribal elders expect the respect and courtesy of a government to government meeting. Currently, the SEPA archaeologist does not meet with Tribes on a regular basis to discuss state or local projects as this is not required.

Based on federal reviews and Executive Order 05-05 reviews, DAHP estimates that an average of three Tribes or communities would require a meeting. This is essentially 3,000 meetings. However, DAHP recognizes that these meetings could be combined to average around 500-700 meetings per year. This averages to approximately 2-3 meetings per day for 240 days. Meetings with tribal governments would have to occur on site which will incur travel costs.

Therefore, at a minimum, DAHP contends that at least 1 additional FTE would be required to assess the mental and social well-being of tribal nations and other communities when cultural, historic or sacred places are potentially impacted by a local project. This FTE should be either a cultural or social anthropologist.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Salary and Benefit costs calculated for 1.0 full time FTE CTED Specialist 3.

Goods and Service costs assume increased costs for office space at \$500 per month, annual training costs of \$1,000, communications costs of \$5,000 annually for email, office phone, and cell phone, and annual miscellaneous office costs of \$3,700.

Travel costs assume 1,000 annual SEPA reviews. Each review will impact an average three tribes or organizations. Costs

assume travel will occur 240 days a year, of which 180 will involve overnight travel. Travel will consist of one monthly in state air billing, with all remaining travel via an agency motor pool vehicle. Total mileage assumed at 600 miles per week.

Capital equipment represents one time costs to purchase office equipment.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	1.0	1.0	1.0	1.0	1.0
A-Salaries and Wages	60,036	60,036	120,072	120,072	120,072
B-Employee Benefits	15,464	15,464	30,928	30,928	30,928
C-Personal Service Contracts					
E-Goods and Services	15,700	15,700	31,400	31,400	31,400
G-Travel	42,800	42,800	85,600	85,600	85,600
J-Capital Outlays	6,000		6,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
<b>Total:</b>	\$140,000	\$134,000	\$274,000	\$268,000	\$268,000

**III. B - Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
CTED Spec 3	60,036	1.0	1.0	1.0	1.0	1.0
<b>Total FTE's</b>		1.0	1.0	1.0	1.0	1.0

### Part IV: Capital Budget Impact

### Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Carol Lee Roalkvam	Phone: 360-705-7126	Date: 02/07/2007
Agency Approval: Don Nelson	Phone: 360-705-7101	Date: 02/08/2007
OFM Review: Rich Struna	Phone: 360-902-9821	Date: 02/09/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

This bill incorporates “human health analysis” in several major sections of the State Environmental Policy Act (SEPA). Human health is defined broadly as physical, mental, economic, and social well-being. As written, the bill language would require clarification in Washington Administrative Codes and agency guidance documents. The department would be able to estimate fiscal impact once specific codes, rules, and interpretations are available. Currently, the fiscal impact of the proposed legislation is indeterminate.

Ecology is the lead agency for the fiscal note; however, the Department of Transportation would likely experience a higher and lasting fiscal impact because of the increased costs of SEPA compliance for project level environmental review. The bill would likely add requirements beyond current law, especially in the broad arena of mental well-being and economic well-being. The department assumes, as does Ecology, that much of the bill language protecting human health and physical well being is at least minimally addressed in current SEPA and National Environmental Policy Act (NEPA) compliance. The department already considers some aspects of human health (noise, air quality, water quality) in project planning; the department does not currently examine the type of potential effects to individual humans broadly identified in this bill. In addition, there is no established method to analyze and predict possible harm.

Assuming the largest changes are in the area of mental, social and economic well-being, the bill would add a new dimension to the analysis of state actions significantly affecting the environment and human health. Because often federal permits and/or dollars are involved, the department usually prepares environmental impact statements along with federal transportation lead agencies (Highways, Rail or Transit), in compliance with the NEPA and SEPA. The addition of human health as defined in this bill would significantly expand the scope of current and future environmental impact statements.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

For purposes of this fiscal note, the department assumes costs will be around \$1 million each biennium. This estimate is based on additional mitigation costs, project delays, and one additional staff to establish, coordinate, and provide assistance with the new requirements.

#### New Staff Cost:

One full-time position would be needed at the Transportation Planning Specialist 4 level to prepare the revised environmental review procedure, update manuals and administrative codes, and negotiate recommended human health assessment methods for transportation project environmental reviews. This position would be responsible to work with ecology on developing new rules and create internal implementation procedures; determine methods to adequately analyze and mitigate “probable adverse” short- and long-term health impacts; train project teams and consultants; and review project level analyses on an ongoing basis. Over time, this FTE would transition to training and Environmental Impact Statement technical review duties. An expert in SEPA procedures with emphasis on public health is not currently available and would need to be added.

#### Project Costs:

Project cost would increase to meet the anticipated new environmental compliance requirements. Fiscal impact is based on a conservative estimate of \$20,000 for each project study to document the potential effect of projects on human health. Since the bill is effective 90 days after session, the department currently has 17 active environmental impact statements that would need immediate studies in 2007 (17 x \$20,000 = \$340,000).

Projects that would require immediate studies include the Alaskan Way Viaduct and Seawall, SR 520 Bridge, Columbia River Crossing, and I-90 Snoqualmie Pass East. In addition, there were 15 environmental assessments under the national environmental policy act, which are used to satisfy SEPA. On-going costs are estimated to average \$300,000, which includes about 20 complex projects each year.

#### Costs Due to Delays:

The increased project costs associated with project delays are not included in this fiscal note and are estimated to be three percent per year. However, projects cannot proceed until the SEPA decision is complete. Project costs will increase if there are construction delays resulting from prolonged environmental review while rules and methods are being established, or legal challenges (the costs of delay are not factored in to this fiscal note, but estimates are available).

Finally, there are hundreds of projects that are currently evaluated and the effects are determined not significant under SEPA, which may be changed based on passage of this legislation. The minimum cost estimated for an addendum to a current study is \$20,000. If a new discipline report is required, costs range from \$40,000 to \$70,000 and one-year delay in project construction is estimated.

### **Part III: Expenditure Detail**

### **Part IV: Capital Budget Impact**

### **Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

State Department of Transportation actions are guided by both the overall SEPA WAC 197-11 and by the Transportation Commission and Department Environmental Policy Act Rules (WAC 468-12). Implementation of the legislation would require the department to work with the Department of Ecology in the larger rule change, and if needed update the specific transportation WAC. SEPA rules would be changed to include economic well-being, mental well-being, and social well-being and expand the current definition for human health and physical well-being.

The first priority of the department of transportation would be to work with Ecology to create a clear definition of human health, probably adverse short- and long-term impacts. The definition of "significance" triggering an EIS would need much legal, policy and technical analysis. State agency actions affecting an individual's mental and social well-being and the quantification of those effects will need to be made clear.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 461-Department of Ecology
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.5	2.5	2.5	1.5	1.5
<b>Fund</b>					
GF - State-State 001-1	273,122	257,285	530,407	293,862	293,862
<b>Total \$</b>	273,122	257,285	530,407	293,862	293,862

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Gordon Wiggerhaus	Phone: (360) 407-6994	Date: 02/20/2007
Agency Approval: Pat McLain	Phone: (360) 407-7005	Date: 02/20/2007
OFM Review: Jim Cahill	Phone: 360-902-0569	Date: 02/20/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

This bill would amend the State Environmental Policy Act (SEPA), RCW 43.21C. It would require that state and local governments evaluate the potential impacts of development proposals on human health. The bill would define human health as “consideration of physical, mental, economic, and social well-being.”

Section 1 of the bill would be new and is a statement of intent. It states that the legislature reaffirms that people have a fundamental right to a healthful environment.

Section 2 would amend SEPA to include consideration of “human health” along with environmental and economic values in reviewing proposals for actions. The section would also define “human health” to mean “consideration of physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.”

Section 3 would amend SEPA to require that an environmental impact statement (EIS) be prepared on “proposals for legislation and other major actions having a probable significant, adverse environmental and human health impact.” Currently, SEPA only requires an EIS on actions with a probable significant, adverse environmental impact. We assume the intent of the bill is primarily to extend the scope of consideration for “human health” as described in the bill to the same kinds of projects now considered under SEPA. (We recognize the intent of the bill could also be to expand the kinds of projects, plans, or practices beyond what SEPA now considers. But in the absence of clear direction about this kind of increase, and about what else to include, we have not estimated an increased number of projects to consider.)

Sections 4 through 8 would further amend various portions of SEPA in order to incorporate the consideration of human health impacts as described on an equal footing with consideration of environmental impacts.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

The bill would have no impact on cash receipts.

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Under current law, SEPA provides review of environmental health concerns such as potential releases of toxic or hazardous materials, noise, aesthetics and other elements, for both the natural environment and the built environment. The bill would go beyond these established parameters, moving Ecology and all SEPA lead agencies into new “human health” issues where each project and non-project SEPA review would be required to consider “physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.”

Under this bill, Ecology would need to:

1. Amend the SEPA Rule. This activity would include amending the rule, developing new guidance materials, and conducting new training for state and local agencies. Ecology’s cost of amending the SEPA Rules is estimated at one FTE at the Environmental Specialist 5 level for two years. This cost is based on previous experience of staff in carrying out similar rule amendments. [1.0 FTE FY 08-09 @ ES5]

2. SEPA for Ecology rules. Ecology is SEPA lead agency for amending its own rules — water quality standards and instream flow rules, for example. Under this bill, SEPA review of these proposals would be expanded to include

economic and social issues, and the bill's additional human health considerations. We estimate that the added cost of this work would be 0.10 annual FTE for 6 months (or 0.05 annual FTE) for each rule. This cost would be variable. Both the amount of time per month, and the number of months per rule would vary, depending on the rule's scope and complexity. We estimate that over the next several years, Ecology will be adopting or amending an average of 8 rules per year. On this basis, Ecology estimates: 0.10 FTE times 0.5 years times 8 rules per year = 0.40 FTE per year ongoing. Assume staff is at the Environmental Specialist 4 level. [0.4 FTE/year @ ES4]

3. SEPA for projects for which Ecology is lead agency. Ecology is SEPA lead agency for a number of proposals. For example, toxics cleanup projects are a common type of project for which Ecology is lead agency. Large mining projects are another example. Expanding of the scope of SEPA review of these proposals to include human health, economic, and social issues as described would increase the amount of work needed to write Environmental Impact Statements for cleanup sites and "very large projects," and to make Determinations of Non-significance for cleanup projects. The increased amount of new work per project would depend both on the scope and complexity of the project, and on what overlapping analysis will already be done under current law. We estimate an average cost of 0.10 FTE per year per action. Based on our 2004-2006 actuals, we project the same average annual workload of 11.33 projects, with a similar mix of EISs (Environmental Impact Statements) and DNSs (Determinations of Non-Significance) each year. On this basis, we estimate an average of 0.10 FTE per project times 11.33 projects per year = 1.13 FTE per year ongoing. Assume staff is at the Environmental Specialist 4 level. [1.1 FTE/year @ ES4]

Notes on costs by object:

Direct program salaries are calculated at step G.

Employee Benefits for direct program staff are calculated at the agency average of 28.2% of salaries.

Goods and Services are calculated at the agency average of \$4,388 per direct FTE, and standard agency administrative overhead costs are also included. For this bill, there would also be some printing costs required to support public participation for the adoption of rule amendments.

Travel Expenditures are calculated at the agency average rate of \$1,716 per direct program FTE.

Equipment Detail: \$7,248 for start-up equipment is budgeted for each new direct FTE, based on current costs for an office chair, 1/5 motor pool vehicle, and basic computer equipment.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.5	2.5	2.5	1.5	1.5
A-	132,957	132,957	265,914	154,482	154,482
B-	37,494	37,494	74,988	43,564	43,564
C-					
E-	79,993	82,493	162,486	90,566	90,566
G-	4,341	4,341	8,682	5,250	5,250
J-	18,337		18,337		
N-					
P-					
S-					
<b>Total:</b>	\$273,122	\$257,285	\$530,407	\$293,862	\$293,862

**III. B - Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Env. Spec 4 (55-G)	50,484	0.4	0.4	0.4	0.4	0.4
Env. Spec. 4 (55-G)	50,484	1.1	1.1	1.1	1.1	1.1
Env. Spec. 5 (59-G)	55,716	1.0	1.0	1.0		
<b>Total FTE's</b>		2.5	2.5	2.5	1.5	1.5

## Part IV: Capital Budget Impact



**Part V: New Rule Making Required**

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 465-State Parks and Recreation Comm
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
<b>Fund</b>					
General Fund-State 001-1	3,328	914	4,242	1,828	1,828
<b>Total \$</b>	3,328	914	4,242	1,828	1,828

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Chris Regan	Phone: 360-902-8632	Date: 02/02/2007
Agency Approval: Robyn Malmberg	Phone: 360-902-8540	Date: 02/02/2007
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/02/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

The bill will require human health impacts be considered along with environmental impacts, when reviewing projects through the State Environmental Policy Act (SEPA)

Section 1 -8 adds human health to all SEPA requirements.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

None.

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Sec. 2-8 requires the modification to RCW 43.21C and will add an additional layer to an existing review process to include human health. While there will be additional time required (as described in the lead agency assumptions), under the least time-intensive scenario such work is assumed to be minor for State Parks (less than five minutes per environmental checklist) and it can and will be accomplished within the normal variability of staffing a project. Under the most time-intensive scenario it might add an hour to each project. If the Department of Health adds guidance on assessing health impacts, it might change this assumption (up or down). In addition, because State Parks incorporates much of Ecology's rules by reference, if Ecology updates its rules without adding new sections (least time-intensive) no new rules are needed. If new sections are added, an additional 16 hours for rulemaking will be required for the most time-intensive scenario. The assumption is there will be costs during FY08 for rule making and the standard \$1500 is part of object E includes costs for postage and mailings, staff time, Attorney General consultation, and public meetings.

State Parks has averaged issuing 24 checklists for the past two years. Assuming this level will hold the total impacts to Parks would be 1.3 hours/year for the least time-intensive scenario or 40 hours for the first year of implementation and 24 hours/year under the most time-intensive scenario (0.02 FTE at Environmental Specialist 4 level). This fiscal note is calculated on the most time-intensive scenario.

Standard Goods & Services, included in object "E", are costs associated with agency employees, such as for office supplies, phone service and mandatory agency training.

Agency administration costs shown in object "T", are costs associated with providing general standard government services for the agency including, but not limited to, human resources, budgeting, accounting, payroll, information technology, purchasing, and legislative services.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	0.0	0.0	0.0	0.0
A-Salaries & Wages	1.114	557	1,671	1,114	1,114
B-Employee Benefits	290	145	435	290	290
C-Personal Serv Contr					
E-Goods and Services	1.552	26	1,578	52	52
G-Travel					
J-Capital Outlays					
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimbursement					
T-Intra-Agency Reimbursement	372	186	558	372	372
<b>Total:</b>	<b>\$3,328</b>	<b>\$914</b>	<b>\$4,242</b>	<b>\$1,828</b>	<b>\$1,828</b>

**III. B - Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Environmental Specialist 4	55,716	0.0	0.0	0.0	0.0	0.0
Various Administrative Services	40,512					
<b>Total FTE's</b>		0.0	0.0	0.0	0.0	0.0

## Part IV: Capital Budget Impact

None

## Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Sec. 1-8 Assumes new rules will be required.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 471-State Conservation Commission
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## Part I: Estimates

☒ **No Fiscal Impact**

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Debbie Becker	Phone: 360-407-6211	Date: 02/05/2007
Agency Approval: Randy Todd	Phone: 360-664-7667	Date: 02/05/2007
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/05/2007

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 477-Department of Fish and Wildlife
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND					
Total \$					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fund					
General Fund-State 001-1	196,355	196,355	392,710	397,210	392,710
Total \$	196,355	196,355	392,710	397,210	392,710

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Pat Chapman	Phone: 360-902-2571	Date: 02/08/2007
Agency Approval: Ron McQueen	Phone: 360-902-2204	Date: 02/12/2007
OFM Review: Jim Cahill	Phone: 360-902-0569	Date: 02/12/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

This bill:

- Amends the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, to require not only consideration of environmental impacts of agency actions but also human health impacts. As defined in the bill, human health includes the consideration of physical, mental, economic, and social well-being, and not merely the absence of disease or infirmity.
- Adds the Department of Health to the list of agencies that must be notified of SEPA decisions.
- Requires an environmental impact statement (EIS) to be prepared for actions having a significant adverse human health impact.
- Provides for agency mitigation requirements in SEPA determinations for adverse impacts to human health.
- Allows appeal of agency SEPA decisions on the basis of human health considerations.
- Requires the Department of Ecology to adopt and amend statewide SEPA rules to consider human health impacts in addition to environmental impacts.
- Requires that SEPA determinations by local governments must consider human health impacts.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

NA

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Sections 2, 3, 4, 5, and 6 all would result in significant fiscal impact. Because every aspect of SEPA would require consideration of human health impacts, fiscal impact to the agency would be broad. At a minimum, additional staff or consultants with expertise in human health considerations would have to be hired or contracted with to produce and review SEPA documents. Additional appeals of agency SEPA determinations would be expected with significant fiscal impacts to resolve those appeals. Rule revision of Chapter 220-100 WAC to comply with the statutory changes resulting from this bill would require significant staff time.

Assumptions for determining fiscal impacts:

1. WDFW is lead agency for 90 – 150 SEPA determinations per year. Each of these would require some level of review for human health impacts.
2. Half of these are for WDFW proposals.
3. 20-25% of WDFW project reviews are for grass carp use to control aquatic weeds and these would require minimal review of human health impacts. WDFW issues a yearly addendum to the Environmental Impact Statement for rotenone use in ~100 lakes. Review the first time would be substantial, but thereafter would only be for site-specific concerns. Other WDFW projects under review include wetland restorations, boat ramp replacement, maintenance dredging, fire salvage, bridge replacements, broodstock plans, fish blockage removal, and hatchery renovations. These would require a moderate level of review for impacts to human health.
4. WDFW produces three Environmental Impact Statements (EIS) per year.
5. WDFW will receive five appeals of SEPA determinations per year (currently no appeals are typically received). Each appeal will require 0.5 months of Attorney General (AG) time per appeal, or a total of 2.5 months for 5 appeals, for preparation and case argument. Total AG cost is estimated to be \$41,667.



6. Each appeal will also need to be heard by the Office of Administrative Hearings (OAH), and will require 50 hours of an Administrative Law Judge per appeal, 8 hours of support staff time per appeal. Total fee for OAH is estimated to be \$23,130 per year (estimate was provided by Office of Administrative Hearings).
7. WDFW would contract out to Department of Health (DOH) and other agencies for analysis of human health impacts in SEPA reviews and production of EISs. It is estimated that DOH would require 1.0 FTE Toxicologist 1, or equivalent and 0.5 FTE Economic Analyst 1, or equivalent per year. Based on salaries and benefits calculated for these 1.5 FTEs, WDFW would need \$109,741 per year to pay for this type of personal service contract.
9. Adoption of WDFW SEPA rules would occur following adoption of statewide rules by the Department of Ecology. This would require standard expenditures, including rule adoption and public hearing.

Summary of expenditures:

Goods and services include AG cost of \$41,667, OAH's fee of \$23,130 per fiscal year. Administrative cost of 12.5% has been added to goods and services, and includes \$21,817 in each fiscal year.

Personal service contract include interagency agreement with DOH and other agency for \$109,741 per fiscal year.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Personal Service Contracts	109,741	109,741	219,482	219,482	219,482
E-Goods and Services	86,614	86,614	173,228	177,728	173,228
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
<b>Total:</b>	<b>\$196,355</b>	<b>\$196,355</b>	<b>\$392,710</b>	<b>\$397,210</b>	<b>\$392,710</b>

### Part IV: Capital Budget Impact

NA

### Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

The Washington Department of Fish and Wildlife has adopted rules for SEPA under Chapter 220-100 WAC. While this bill does not specifically require adoption of new rules, this would be required because of the significant change to WDFW procedures for making determinations under SEPA. The Department of Ecology would be adopting new statewide rules which would also require a change in WDFW rules under Chapter 220-100 WAC.

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 490-Department of Natural Resources
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

<b>FUND</b>					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	4.1	4.1	4.1	3.7	3.7
<b>Fund</b>					
General Fund-State 001-1	468,600	454,600	923,200	868,400	868,400
Forest Development Account-State 014-1	224,900	218,200	443,100	416,800	416,800
Resources Management Cost Account-State 041-1	243,600	236,400	480,000	451,600	451,600
<b>Total \$</b>	937,100	909,200	1,846,300	1,736,800	1,736,800

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Pouth Ing	Phone: (360) 902-1021	Date: 02/27/2007
Agency Approval: Bob VanSchoorl	Phone: (360) 902-1298	Date: 02/27/2007
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/28/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

HB 1355 expands the State Environmental Policy Act (SEPA), which currently requires agencies to consider environmental impacts, to include human health. Human health is defined as: "physical, mental, economic, and social well-being" of residents of Washington.

Section 1 reaffirms that people have the right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Section 2 requires human health to be included in an Environmental Impact Statement (EIS). Requires agencies to look at worldwide and long-range impacts of human health. Agencies must provide other agencies with information and advice on human health.

Section 3 (1) includes legislation that result in an EIS having a probable significant, adverse environmental and human health impact.

Section 4 authorizes lead agencies to use environmental documents for new project or nonproject actions, if the documents adequately address environmental and human health considerations set forth in RCW 43.21C.030.

Section 5 states agencies may condition their licenses or approvals to mitigate adverse human health impacts.

Section 6 states any appeals made would fall under SEPA and be linked to a specific governmental action.

Section 7 (1) directs the Department of Ecology to make rules to interpret and implement this chapter, subject to the requirements of RCW 34.05 and provide rules and guidelines to all branches of government including state agencies.

Section 7 (1) (f) adds human health to the list of elements of the environment which consists of public services and utilities, transportation, environmental health, and land and shoreline use.

Section 8 directs local government to provide adequate analysis of human health impacts under SEPA.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

No fiscal impact.

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Section 1 adds new standards into legislative findings and declarations that SEPA currently does not use: "best available science", "full scientific certainty", and "wide-range of alternatives". These findings and declarations would at least be used to interpret other sections in SEPA. The new standards alone would require more extensive review in areas of expertise that the Department of Natural Resources (DNR) does not currently have. Additional expertise would be needed to assist the Forest Practices Program in interpreting these new standards and correctly implementing the new human health element. Specifically, the Forest Practices Program would need to evaluate the human health element in SEPA checklists, determine whether or not forest practices application proposals would have an adverse impact on human health,

and potentially condition forest practices applications to address human health. These costs are described in section 4. Additional attorney time would also be needed to provide advice on interpreting the new legislation and, given the lack of “full scientific certainty” and the broad definition of “human health”, there is an increased potential for litigation claiming improper inaction or overreaction by the Forest Practices Program. These costs are described in section 6.

Section 2 requires human health (mental, social, economic and physical well-being) to be considered under an EIS, including worldwide and long-range impacts. Under this section, two divisions in DNR would be affected:

-Land Management Division publishes 2 to 3 EIS's each biennium for forest land planning or other major conservation strategies. The timber sales program processes dozens of SEPA checklists each year. The human health impact would have to be added to the SEPA checklist. Under this bill, these EIS's would require additional human health analysis. DNR would need to contract an EIS specialist to investigate whether there are significant adverse impacts to each component (mental, social, economic and physical) over the life of the EIS. Assumptions: cost for an EIS specialist is approximately \$128,000 per fiscal year (160 hours to analyze alternatives for each component X \$200 EIS specialist/hr X 4 components = \$128,000/year). Current DNR contractors charge from \$150-\$190/hr to perform analysis on data that DNR provides to them. The specialist to perform these analysis would be a high level contractor which would be more expensive.

-The Forest Practices Board, on average, adopts 2 rule packages per year. Currently, about 1 rulemaking EIS is done every five years. Adding "human health", as defined by the bill, to SEPA would require reviews that are likely to elevate all Forest Practices Board rulemakings to the Administrative Procedure Act (APA) standard for requiring an EIS. At the present, this is not the case. The Forest Practices Board averages 2 rulemakings per year, thus 2 EIS's per year. Both EIS's would be an additional cost except for years 5, 10, 15, etc. So, every 5 years, one EIS would be a current existing requirement at \$240,000. Assume both rule adoptions would require a contracted EIS (\$240,000 per EIS) and assume an additional contractor to analyze human health impacts (\$100,000 per EIS). The \$100,000 per EIS are based on the following assumptions: 1) human health professionals would need to be contracted separately from environmental consulting agencies; and 2) the cost of expert human health professionals would be substantially higher than cost of natural resource environmental consultants (i.e., biologists, hydrologists, etc. The contract cost for rulemaking EIS is: (2 EIS/Year X \$240,000/EIS) plus (2 additional human health analysis/year X \$100,000/EIS) = \$680,000/Year. Assume existing staff to the Forest Practices Board would coordinate and assist the contractor in developing one EIS/year. The second EIS would require additional staff to the Forest Practices Board to coordinate and develop the EIS, plus assistance from a DNR economist to develop the cost benefits analysis and small business economic impact statement for both EIS: WMS Band 1 (.33 FTE), Natural Resource Specialist 4 (1.0 FTE), and Environmental Planner 4 (1.0 FTE).

Section 3 requires all legislation and major actions resulting in an EIS under SEPA look at significant adverse impacts to human health, including short and long-term effects, and mitigation to reduce effects. Assume one legislative rule-making process requiring an EIS per biennium. Assume the same fiscal cost as in Section 2.

Section 4 allows the adoption of a completed EIS if it adequately addresses human health. Since this was not a requirement previously, most of DNR's environmental impacts statements would be adopted, including the National Environmental Policy Act (NEPA) which would need additional SEPA review to make sure there are no human health impacts. Assumptions: DNR adopts 5 EIS's per year for a determination of significance (DS) adoption (average based on 2005 and 2006 SEPA database). This is different than actually writing an EIS because it is in place of performing the analysis. Four consultants are needed for each human health component at \$5,000 for a month's worth of work to determine if there are no human health impacts in the adopted EIS and to screen the new proposal for human health impacts. This would continue for 12 years, or until all EIS's meet the test of adequacy for human health issues. \$5,000 (base pay) X 4 consultants = \$20,000 for one month for one EIS adoption screening. Five adopted EIS screening per year X \$20,000 = \$100,000 per year for using consultants to make sure EIS is adequate to adopt. In addition, the Forest Practices Program processes an average of 800 forest practices applications (FPA) annually of which the Forest Practices Program is the lead agency on approximately 300 applications. In the last 10-years, Forest Practices Program processed an average of 800 Class IV applications (FPAs) per year: approximately 100 Class IV-special FPAs and 700 Class IV-general FPAs. Assume 100% of the Class IV-special FPAs will be withdrawn by the applicant and reconfigured to avoid a Class IV-special trigger. Assume for the 700 Class IV-general FPAs that 200 will be local government lead agency (counties under Growth Management Act jurisdiction are required to be lead agency on conversion FPAs) and 500 will be Forest

Practices Program lead agency. Assume for the 500 FP lead agency that 200 will be “platted” FPAs withdrawn by the applicant to avoid SEPA costs. Total remaining Class IV FPAs where Forest Practices Program will be lead agency = 300 FPAs per year. For each these 300 FPAs, the Forest Practices Program will need to decide whether the proposed FPA will be a Determination of Non-Significance (DNS), Mitigated Determinations of Non-Significance (MDNS), or Determination of Significance (DS). Each DS will require the FP Program to assess the adequacy of the landowner’s EIS.

Section 5 requires human health impacts to be considered when agencies condition or deny permits. The Forest Practices Program costs associated with this additional requirement are referenced in section 4.

Section 6 states human health as reviewed under SEPA would also fall under SEPA appeal and be linked to government actions. If it is perceived that the agency didn’t adequately consider human health in our SEPA proposals, DNR could end up with more appeals. The Forest Practices Program assumes that 25 out of 300 forest practices applications would lead to 25 appeals per year. The Forest Practices Program has averaged 10 appeals per year in the last 2 years and 15 appeals per year in the last 5 years. However, current AAG staffing levels have been able to manage 20 appeals per year. Therefore, an estimated 2 additional AAGs are needed to manage the additional appeals workload centered on human health issues as they relate to SEPA. DNR has consulted with the AG’s office on these assumptions. It is estimated that the 25 additional litigations per year would require two additional AAG support and program staff: (2 AAG X \$180,000/year) = \$360,000/year. Office Assistant 3 (1.0 FTE).

The Equal Access to Justice Act, codified at RCW 4.84.340 - 4.84.360 and RCW 43.88.067, states that successful appellants are entitled to attorneys fees and other reasonable expenses incurred during judicial proceedings contesting agency action under the Administrative Procedures Act. If this bill were to pass, DNR would request supplemental funding if any appeals of human health related matters were to be successful.

Section 7 directs the Department of Ecology to do rule-making to interpret and implement what is a major action that affects human health. This may directly impact DNR because agencies are frequently asked, as agencies of jurisdiction, to sit on rule-making committees. At this time, the fiscal impact is uncertain.

Goods and services and travel are all based on program averages. Rent calculated at \$14,400 each fiscal year. One-time cost for workstation at \$28,000. Agency overhead calculated at 24%. Excludes personal service contracts, building rent, and equipment. Administrative overhead includes 0.8 FTE for a Fiscal Analyst 3. These FTE amounts are included in the FTE section of this fiscal note.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	4.1	4.1	4.1	3.7	3.7
A-Salaries and Wages	164,900	164,900	329,800	287,800	287,800
B-Employee Benefits	52,400	52,400	104,800	93,000	93,000
C-Personal Service Contracts	228,000	228,000	456,000	456,000	456,000
E-Goods and Services	419,700	391,700	811,400	772,800	772,800
G-Travel	12,700	12,800	25,500	22,800	22,800
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Administrative Costs	59,400	59,400	118,800	104,400	104,400
<b>Total:</b>	<b>\$937,100</b>	<b>\$909,200</b>	<b>\$1,846,300</b>	<b>\$1,736,800</b>	<b>\$1,736,800</b>

**III. B - Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

<b>Job Classification</b>	<b>Salary</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>2007-09</b>	<b>2009-11</b>	<b>2011-13</b>
Environmental Specialist 4	55,716	1.0	1.0	1.0	1.0	1.0
Fiscal Analyst 3	49,272	0.8	0.8	0.8	0.7	0.7
Natural Resource Specialist 4	57,120	1.0	1.0	1.0	1.0	1.0
Office Assistant 3	31,056	1.0	1.0	1.0	1.0	1.0
WMS Band 1	63,000	0.3	0.3	0.3		
<b>Total FTE's</b>		4.1	4.1	4.1	3.7	3.7

## Part IV: Capital Budget Impact

No fiscal impact.

## Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

No fiscal impact.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis	<b>Agency:</b> 495-Department of Agriculture
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

FUND					
<b>Total \$</b>					

### Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.6	0.6	0.6	0.6	0.6
<b>Fund</b>					
General Fund-State 001-1	424,000	273,000	697,000	546,000	546,000
<b>Total \$</b>	424,000	273,000	697,000	546,000	546,000

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2007
Agency Preparation: Lee Faulconer	Phone: 360-902-1804	Date: 02/08/2007
Agency Approval: David Hecimovich	Phone: 360-902-1989	Date: 02/08/2007
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/08/2007

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

This bill requires state agencies and local government agencies to add human health impacts to all State Environmental Policy Act (SEPA) reviews. The definition of human health is very broad “consideration of physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.”

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

None

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Department of Agriculture Assumptions:

1. The agency does not have resources to implement the human health element of SEPA. The agency completes approximately three environmental projects a year that require a SEPA review. An example of a SEPA review is Gypsy Moth eradication, which requires treating an area by spraying an insecticide. Some of these applications are in urban areas. We prepare the SEPA documents and are the lead SEPA agency for these projects. Our assumption is that WSDA would have to include an evaluation of human health effects along with environmental effects for these projects. The extremely broad definition of human health includes physical, mental, economic and social well-being. WSDA has no in-house expertise to assess the impact of our projects for the elements included in the definition of human health, thus we would enter into an interagency agreement with Department of Health for the human health assessment and contract with a private entity for the economic impact statement. This fiscal note is based on a combination of human health and environmental effects. WSDA would experience a significant increase in cost of preparing our SEPA documents.
2. Implementation of this bill would require additional resources.
3. Programmatic analysis will be conducted in FY 08. Contract costs will be reduced by one-half in future years.

Salary and Wages, Object A & B:

0.3 FTE Administration Regulation Program Manager to oversee agency regulation functions.

0.3 FTE Grant and Contract Coordinator to manage contracted human health assessments of this activity.

Personal Service Contracts, Object C:

FY08: \$85,000; calculated comparing a similar state agency in size and scope preparing agency Small Business Impact Statements: 1 impact statement requires approximately 435 hours (economic analyst time) to accomplish. WSDA estimate 3 impact statements per year expending 435 contracted hours per contract @ \$65 = \$28,300 per contract.

FY09 – continuing: Contract cost would be reduced to \$43,000 onward after the initial contract framework is established and size and scope of contracts do not change.

Goods and Services, Object E:

FY08: \$264,000; \$4,000 in standard direct costs, \$65,000 in attorney general costs (estimate .5 FTE) for legal work, appeals, tort claims, lawsuits and rule making and \$195,000 in Interagency Agreements to the Department of Health (65,000 per SEPA assessment, 3-assessments per year) to fund health assessments.

FY09 – \$167,000 continuing for standard direct costs, \$65,000 in attorney general costs (estimate .5 FTE) for legal work, appeals, tort claims, lawsuits and rule making; interagency agreements with the Department of Health would be reduced to \$98,000 onward after the initial contract framework is established and size and scope of contracts do not change.



Travel, Object G:

\$1,000 estimated for FTE travel to attend statewide meetings in support of this bill.

Capital Outlays, Object J:

\$6,000 expended in FY08 for onetime purchases of modular office equipment and desk chairs for FTE support.

Debt Services, Object P:

Annual costs of \$2,000 will support computer and computer peripherals for FTE.

### Part III: Expenditure Detail

#### III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.6	0.6	0.6	0.6	0.6
A-Salaries and Wages	33,000	33,000	66,000	66,000	66,000
B-Employee Benefits	10,000	10,000	20,000	20,000	20,000
C-Personal Service Contracts	85,000	43,000	128,000	86,000	86,000
E-Goods and Services	264,000	167,000	431,000	334,000	334,000
G-Travel	1,000	1,000	2,000	2,000	2,000
J-Capital Outlays	6,000		6,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service	2,000	2,000	4,000	4,000	4,000
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Overhead	23,000	17,000	40,000	34,000	34,000
<b>Total:</b>	<b>\$424,000</b>	<b>\$273,000</b>	<b>\$697,000</b>	<b>\$546,000</b>	<b>\$546,000</b>

#### III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Administration Regulation Program	65,000	0.3	0.3	0.3	0.3	0.3
Manager						
Grant and Contract Coordinator	43,536	0.3	0.3	0.3	0.3	0.3
<b>Total FTE's</b>		<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>

### Part IV: Capital Budget Impact

None

### Part V: New Rule Making Required

*Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Rule making is required.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

<b>Bill Number:</b> 1355 HB	<b>Title:</b> Human health analysis
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## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☒ Cities: Increased staff time to incorporate health analysis into the environmental review process
- ☒ Counties: Increased staff time to incorporate health analysis into the environmental review process
- ☒ Special Districts: Increased staff time for public utility districts to incorporate health analysis into the environmental review process
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: It is unknown how much additional staff time would be required to incorporate health analysis into the environmental review process or how many additional reviews would need to be conducted.

### Estimated revenue impacts to:

Jurisdiction	FY 2008	FY 2009	2007-09	2009-11	2011-13
City					
County					
Special District					
<b>TOTAL \$</b>					
<b>GRAND TOTAL \$</b>					

### Estimated expenditure impacts to:

<b>Indeterminate Impact</b>
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## Part III: Preparation and Approval

Fiscal Note Analyst: Darleen Muhly	Phone: (360) 725 5030	Date: 01/18/2007
Leg. Committee Contact:	Phone:	Date: 01/18/2007
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 01/31/2007
OFM Review: Kay Baxstrom	Phone: 360-902-0566	Date: 01/31/2007

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

This bill would amend the State Environmental Policy Act (SEPA), RCW 43.21C, adding a human health analysis to the SEPA review and environmental impact statement (EIS) process. For the purposes of the chapter, human health includes the consideration of physical, mental, economic, and social well-being and not merely the absence of disease or infirmity.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

Department of Ecology receives approximately 6,000 SEPA documents per year, with 65 being draft environmental impact statements (EISs). LGFN assumes that 75 percent of these come from local government. Although relatively few EISs are prepared, the staff time involved is considerable and varies greatly depending on the possible environmental impact. According to the King County Department of Development and Environmental Services, preparation of an EIS can range from six months to two or more years. King County hires a consultant to perform this work, but many local governments prepare EISs in-house. According to the City of Spokane Planning Department, an EIS involves an average of 400 hours of staff time.

The broadened definition would likely significantly increase the time to prepare an EIS and increase the instances where an EIS is needed. LGFN does not have sufficient data to determine the extent of the increase.

For illustrative purposes, LGFN will assume these requirements add 20 percent more staff time to an EIS requiring 400 hours of a senior planner's time. The average hourly rate for a senior planner is \$28.41. Based on this scenario, this requirement would add 80 hours of staff time at a cost of \$2,273.

#### **SOURCES:**

Washington State Department of Ecology  
King County Department of Development and Environmental Services  
City of Spokane Planning Department  
Association of Washington Cities, 2006 Salary and Benefit Survey

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

No revenue impact is expected as a result of this legislation.