

Multiple Agency Fiscal Note Summary

Bill Number: 6395 SB	Title: Orca whale protection
-----------------------------	-------------------------------------

Estimated Cash Receipts

Agency Name	2007-09		2009-11		2011-13	
	GF- State	Total	GF- State	Total	GF- State	Total
Total \$						

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
State Parks and Recreation Commission	.0	40,000	40,000	.0	74,000	74,000	.0	74,000	74,000
Department of Fish and Wildlife	.0	46,125	46,125	.0	0	0	.0	0	0
Total	0.0	\$86,125	\$86,125	0.0	\$74,000	\$74,000	0.0	\$74,000	\$74,000

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

--

Prepared by: Deborah Feinstein, OFM	Phone: 360-902-0614	Date Published: Final 1/23/2008
--	-------------------------------	---

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

** See local government fiscal note

FNPID: 18535

Individual State Agency Fiscal Note

Bill Number: 6395 SB	Title: Orca whale protection	Agency: 465-State Parks and Recreation Comm
-----------------------------	-------------------------------------	--

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	0	40,000	40,000	74,000	74,000
Total \$	0	40,000	40,000	74,000	74,000

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: 01/17/2008
Agency Preparation: Toni Lick	Phone: (360) 586-6609	Date: 01/22/2008
Agency Approval: Brian Myhre	Phone: 360-902-8621	Date: 01/22/2008
OFM Review: Deborah Feinstein	Phone: 360-902-0614	Date: 01/22/2008

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 add language to RCW 77.12 (powers and duties related to fish and wildlife management) to help protect Southern Resident Orca whales from disturbances by vessels.

The following section would impact the Washington State Parks and Recreation Commission (State Parks):

Section 4 would require State Parks to disseminate information about approaching and feeding of whales as described in Section 2 of the bill. At a minimum, State Parks is required to post information on their website and to disseminate information through agencies publications and brochures. In addition, State Parks is to attempt coordinate with other agencies to provide information at marinas, boat shows, boat dealers, boating safety training courses, and through vessel registration and/or licensing.

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 revenue will be received.

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 4 requires State Parks to disseminate information on its website and through publications and brochures.

Assumptions:

The State Recreational Boating Program distributes multiple boating publications/brochures as well as provides boating safety training to local law enforcement officers and to the public through the mandatory boater education certification program. Funding for this program is through a federal grant and state match funds. The federal program allows only for recreational boating activities – it does not address the protection or public education of an endangered species. Therefore any required activity will require state funding.

If legislation is passed, the Recreational Boating Program would:

- 1) Develop a poster similar to the child life jacket law poster and contract for its' printing
- 2) Contract with Veins of Life Watershed Society to modify an existing brochure on orcas, entitled "Be Whale Wise – Marine Wildlife Guidelines for Boaters, Paddlers and Viewers"
- 3) Include this information in an agency web site message

Costs by object include:

Poster Costs:

Object C – Graphic design of the poster would be a contractual service estimated at \$3,000.

Object E - Printing and mailing of the poster is estimated to cost approximately \$1 per poster. Approximately 32,000 posters would be made available to marinas, boat shows, boat dealers, training course instructors and motor vehicle licensing agencies. Total costs would be \$32,000 per year.

Brochure Costs:

Object C - State Parks would contract with "Veins of Life Watershed Society and ...Stewardship of Marine Mammals" to update their "Be Whale Wise" brochure and add the State of Washington and State Parks logos to the brochure. It is

estimated that the non-profit organization would want financial support and we are estimating \$5,000 per year.

Updating our agency web site would have no fiscal impact as this is an on-going staff activity.

The \$3,000 for the design of the poster will be a one-time cost. All other costs will be on-going.

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 & Wages					
B-Employee Benefits					
C-Personal Serv Contr		8,000	8,000	10,000	10,000
E-Goods and Services		32,000	32,000	64,000	64,000
G-Travel					
J-Capital Outlays					
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimbursement					
T-Intra-Agency Reimbursement					
Total:	\$0	\$40,000	\$40,000	\$74,000	\$74,000

Part IV: Capital Budget Impact

No 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.

No rule making is required

Individual State Agency Fiscal Note

Bill Number: 6395 SB	Title: Orca whale protection	Agency: 477-Department of Fish and Wildlife
-----------------------------	-------------------------------------	--

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	0	46,125	46,125	0	0
Total \$	0	46,125	46,125	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: 01/17/2008
Agency Preparation: Kimberly Flowers	Phone: 360-902-2835	Date: 01/22/2008
Agency Approval: Ron McQueen	Phone: 360-902-2204	Date: 01/23/2008
OFM Review: Deborah Feinstein	Phone: 360-902-0614	Date: 01/23/2008

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- The Legislature intends to protect southern resident orca whales from impacts from vessels, and to educate the public on how to reduce the risk of disturbing these important marine mammals.

Section 2- Subject to a natural resource infraction, persons may not:

- knowingly approach within 300 feet of an orca;
- knowingly cause a vessel or other object to approach within 300 feet of an orca;
- knowingly intercept an orca, which involves placing or allowing a vessel to remain in the path of an orca;
- fail to disengage the transmission of a vessel that is within 300 feet of an orca; or
- feed an orca.

Exemptions exist for vessel safety, persons participating in specified commercial fishery activities, persons acting in a law enforcement capacity, or persons acting with authorization from the state or federal government.

Section 3- Washington law enforcement agencies are encouraged to utilize existing statutes and regulations, including current vessel operation requirements, to protect orcas from impacts from vessels.

Section 4- The Department of Fish and Wildlife and the State Parks and Recreation Commission must disseminate information about the requirements of the bill, orca and wildlife viewing guidelines, and other responsible wildlife viewing messages.

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.

N/A

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 4 of the bill requires WDFW to provide information on whale watch guidelines and laws to boaters and the general public through pamphlets and presentation to NGOs, and at boat shows, marinas, boater safety classes, and in conjunction with vessel registration and licensing.

A personal services contract would be used in order to produce the materials and curricula, estimated at \$11,000.

Goods and Services are for production and printing costs. The Department estimated that it would need to create and disseminate 7,000 booklets. Based on an average cost of \$4.286 per color booklet, the costs of production and printing are estimated to be \$30,000 ($\$4.286 \times 7000 = \$30,000$). Administrative cost at 12.5% has been added to goods and services and includes \$5,125.

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		11,000	11,000		
E-Goods and Services		35,125	35,125		
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					
Total:	\$0	\$46,125	\$46,125	\$0	\$0

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Wildlife (040)		46,125	46,125		
Total \$		46,125	46,125		

Part IV: Capital Budget Impact

N/A

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.

N/A