

Multiple Agency Fiscal Note Summary

Bill Number: 1374 2S HB	Title: Energy facil site eval encl
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Estimated Cash Receipts

Agency Name	2013-15		2015-17		2017-19	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of Attorney General	Non-zero but indeterminate cost. Please see discussion."					
Department of Ecology	Non-zero but indeterminate cost. Please see discussion."					
Environmental and Land Use Hearings Office	0	120,000	0	120,000	0	120,000
Total \$	0	120,000	0	120,000	0	120,000

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Department of Commerce	(.1)	0	0	(.1)	0	0	(.1)	0	0
Utilities and Transportation Commission	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.3	0	73,068	.1	0	35,406	.1	0	35,406
Environmental and Land Use Hearings Office	.5	28,108	148,108	.5	28,108	148,108	.5	28,108	148,108
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
Total	0.7	\$28,108	\$221,176	0.5	\$28,108	\$183,514	0.5	\$28,108	\$183,514

Local Gov. Courts *									
Local Gov. Other **	Fiscal note not available								
Local Gov. Total									

Estimated Capital Budget Impact

NONE

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

** See local government fiscal note

FNPID 34951

FNS029 Multi Agency rollup

Prepared by: Jim Albert, OFM	Phone: (360) 902-0419	Date Published: Preliminary 3/ 7/2013
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 34951

FNS029 Multi Agency rollup

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 075-Office of the Governor
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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Stephanie Lidren	Phone: 360-902-3056	Date: 03/06/2013
Agency Approval: Aaron Butcher	Phone: 360-902-0406	Date: 03/06/2013
OFM Review: Tristan Wise	Phone: (360) 902-0538	Date: 03/06/2013

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.

There is no fiscal impact to the Governor's Office.

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

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.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 090-Office of State Treasurer
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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.

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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Dan Mason	Phone: 360-902-9090	Date: 03/04/2013
Agency Approval: Dan Mason	Phone: 360-902-9090	Date: 03/04/2013
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 03/04/2013

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.

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.

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 IV: Capital Budget Impact

NONE

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 100-Office of Attorney General
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

Estimated Capital Budget Impact:

NONE

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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Gretchen Leanderson	Phone: 253-597-4434	Date: 03/07/2013
Agency Approval: Brendan VanderVelde	Phone: 360 586-2104	Date: 03/07/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 03/07/2013

Request # 13-024 D-1

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 amends the legislative intent section, RCW 80.50.010, to include that the legislature finds there is a critical need for infrastructure to ensure safe and reliable operations of electrical generation and energy transmission systems in Washington.

Section 2 amends certain definitions in RCW 80.50.020, to include “alternative energy resource,” “counsel for the environment,” “energy plant,” “thermal power plant,” “transmission pipeline facility,” “zoning ordinance” and adds new definitions for “electric utility” and “proven energy technology”.

Section 3 amends RCW 80.50.030 including the duties of the Chair of the Energy Facility Site Evaluation Council (council). The section requires the Utilities and Transportation Commission serve as the fiscal agent for the council. This section amends the composition of the council and provides that if the proposed energy facility is a nuclear power plant, the Department of Health (DOH) shall appoint a designee from DOH as a voting member of the council, though only for as long until a final decision on that site is made.

Section 4 amends RCW 80.50.040 pertaining to the power of the council.

Section 5 is a new section added to chapter 80.50 RCW requiring that, by December 1, 2014, the council adopt standards for the siting, construction, operation, and decommissioning of energy facilities. This section details the standards to be used.

Section 6 amends RCW 80.50.045 to require the council to monitor the activities of the Federal Energy Regulatory Commission (FERC) and receive notifications for energy projects located in Washington that are under regulatory oversight of the FERC.

Section 7 amends RCW 80.50.060 to add exceptions to the application of this chapter. This section provides that any proposed nuclear power facility in Washington, where the primary purpose is to produce and sell electricity, must apply to the council for site certification as well as any proposed transmission pipeline facility. A provision is added to provide this chapter does not apply to an energy facility that has previously been approved or denied by a local government.

Section 8 is a new section added to RCW 80.50 providing details for the applications for site certificates, as well as the duties of the council upon receiving the site application, including a notice to the public, taking of public comments, and issuing a preliminary application. This section provides further requirements for applicants after their submission of the notice of application. This section requires the staff of the council to make a determination within 15 days of submission of the application whether an application meets the council’s requirements and what the timeline will be for completion of the environmental review, though it must be completed within six months except if it is extended due to certain determinations.

Section 9 is a new section added to chapter 80.50 to provide that under RCW 43.21C, a chair must oversee an environmental review of a proposed energy facility. This section provides the details for the council to determine whether

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an application meets council requirements under section 8 of this chapter and other requirements for the council and chair in notifying an agency that has regulatory or advisory responsibility with respect to the facility or city or county affected by the application. This section contains details of the duties of the chair and council staff in terms of conducting public hearings, publishing a draft environmental impact statement, soliciting comments, conducting public hearings, and contracting with independent consultants to review information from the public hearing in order to prepare the draft and final environmental impact statements. This section also provides that if the council extends the environmental review process up to 12 months, the Attorney General's Office (AGO) shall appoint an Assistant Attorney General (AAG) as a Counsel for the Environment (CFE). Costs incurred by the CFE in the performance of these duties are to be charged to the AGO.

Section 10 is a new section added to chapter 80.50 RCW to require council staff to prepare and issue an initial order and draft site certification within 15 days of issuing the final environmental impact statement. This section also requires the council to make a final decision to approve or reject the application for site certification within 15 days of receiving an initial order and draft site certification.

Section 11 amends RCW 80.50.071 to apply to preliminary applications.

Section 12 amends RCW 80.50.075 to remove applications for a certification of an alternative energy resource facility from the expedited application processing procedures.

Section 13 amends RCW 80.50.085 pertaining to preliminary site applications.

Section 14 amends RCW 80.50.100 to eliminate certain council reporting requirements to the Governor and certain review and reconsideration protocols of the council.

Section 15 amends RCW 80.50.105 to eliminate the process of the council making recommendations to the Governor.

Section 16 amends RCW 80.50.110 relating to an energy facility interconnecting to an electric utility's distribution system. The application of standards and terms of a site certification by the council under this chapter only applies to the part of the facility within the geographic boundaries of the proposed facility and not to the electrical interconnection of a facility to the electric utility's distribution system, unless the council is required otherwise by another authority created outside this act to review and approve the interconnection of an energy facility to an electric utility's distribution system.

Section 17 amends RCW 80.50.120 to provide an exemption to the binding effect of certifications as provided in RCW 80.50.110.

Section 18 adds a new section to chapter 80.50 RCW to require a city or county to submit to the council, within 30 days of the issuance of a permit it has approved for an energy facility through a local permitting process, a copy of the permit and any conditions of approval.

Section 19 is a new section that provides that the council may choose to establish timelines related to the siting of energy facilities that are shorter than those provided by this chapter.

Section 20 is a new section repealing certain acts or parts of acts.

This bill is assumed effective 90 days after the end of the 2013 legislative session.

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.

Indeterminate cash receipts.

Funds are assumed to be appropriated Legal Service Revolving Account dollars. Legal services costs incurred by the AGO will be billed through the revolving fund to the client agency.

Please note that these cash receipts represent the AGO authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agencies' fiscal note. Appropriation authority is necessary in the AGO budget.

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.

Indeterminate expenditure impact.

Assumptions:

1. We assume this bill will radically change the current council process and scope (allows many types of energy facilities to opt in or opt out of EFSEC process). It also changes the council's role and eliminates the Governor's role. Definition amendments relating to the size limits of defined energy facilities includes certain size thresholds.
2. We assume a change, that if a proposed energy facility previously subject to the council decides to opt out of the council's one-stop permitting, the facility will have to seek permits from other regulatory agencies, including the Department of Ecology (ECY). We assume the AGO will provide, and bill ECY for legal services, for advice and potential litigation assistance on those permit decisions. There is no way to project how many proposed energy facilities intend to pursue permitting under this alternative scenario, thus it is not possible to project associated AGO costs to ECY.
3. We assume the enactment of this bill will incur costs to the Department of Natural Resources (DNR) for legal service in advice, and with a potential for litigation assistance on permit decisions. We assume we will provide advice, and perhaps litigation assistance, when an energy facility is proposed for sitting on, or near DNR managed land because DNR's designee on the Council will be eliminated by this bill. Although the chair may invite a designee from DNR to participate as a council member if the proposal involves forest land, DNR would not necessarily be on the council when a facility is proposed for sitting on or near DNR managed land, particularly if the land is aquatic land, agriculture land, or other land that is not forest land. There is no way to project how many proposed energy facilities intend to pursue permitting under this alternative scenario, nor to project whether any facilities will be proposed for sitting on or near DNR

managed land. It is not possible to project associated AGO costs to DNR.

4. We assume the council will need advice on this bill and its implementation. The council will have to re-write most or all of its rules in response to the process and scope of changes. Section 4(14) requires the Council to develop minimum siting standards for cities and counties “in relation to the type, design, location, construction, operational conditions, and decommissioning of energy facilities” subject to RCW 80.50. Based on the amount of time it took the Council to revamped its rules the last time it was required, we are estimating 0.25 AAG in FY2014 while some of this work may extend into FY2015. The AGO will bill UTC for these indeterminate costs.

5. We assume the AGO will be required to pay for all costs associated with CFE and that the charges cannot be billed to or deducted from the council’s legal services budget. Currently, CFE charges are an unfunded mandate. Hence, we anticipated an increase in AGO billing rates that will affect every client agency that we provide legal services to. Typically, permitting under the old process took over six months. For the past four projects, time attributable to CFE took between 12 to 30 months. It is difficult to discern the number of projects that might get proposed with what appears to be an easier push if enacted in this version of the bill. AGO time will only be affected where the projects exceed six months, so these costs are completely indeterminate at this stage. As a point of reference, provided below is the cost per project for the past few years.

10089906-Kittitas Valley Wind Power—EFSEC, 12 months, \$5,881
10314220-Pacific Mountain Energy Center, 20 months, \$24,844
10320095-Desert Claim Wind Power, 19 months, \$16,985
10423271-Whistling Ridge Energy Project, 30 months, \$39,431
ATG-1-Counsel for the Environment, 36 months, \$26,011

TOTAL: \$113,152

Part III: Expenditure Detail

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

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 103-Department of Commerce
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
Account					
Total \$					

Estimated Capital Budget Impact:

NONE

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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Cory Plantenberg	Phone: (360) 725-3111	Date: 03/05/2013
Agency Approval: Tony Usibelli	Phone: 360-725-3110	Date: 03/05/2013
OFM Review: Kathy Cody	Phone: (360) 902-9822	Date: 03/05/2013

Request # 079-5A0-1

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.

There are no differences between the second substitute bill and the substitute bill that affect the fiscal impact to the Department of Commerce.

Summary of the second substitute bill:

Section 3 eliminates the director, or designee of the director, of the Department of Commerce as a member of the Energy Facility Site Evaluation Council.

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 3

Presently, the director of the Department of Commerce has a designee serving on the Energy Facility Site Evaluation Council and certain costs for that designee -- including salary, benefits, and travel -- that are currently being paid by Commerce and reimbursed by EFSEC will be eliminated.

Salaries and Benefits

Commerce estimates the elimination of 0.1 FTE Energy Facility Site Certification Coordinator in each fiscal year. This position represents Commerce on the Energy Facility Site Evaluation Council (EFSEC), reviews site applications, and coordinates between the EFSEC staff and the director and energy office staff at Commerce.

FY14-19: (\$12,005) each fiscal year

Goods and Other Services

FY14-19: (\$4,396) each fiscal year

-standard G&S (\$4,396)

-space and utilities \$0

-non-standard G&S \$0

Note: Standard goods and services costs include supplies and materials, employee development and training, mandatory state seat of government and Department of Personnel charges, and Commerce agency administration. Commerce 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; public affairs services; policy and risk management services; and other support services.

Travel

Commerce estimates the elimination of 6 round trips to attend EFSEC meetings and work sessions and coordinate with Commerce, consisting of mileage (\$1,776), per diem (\$684), and lodging (\$510).

FY14-19: (\$2,970) each fiscal year

Interagency Agreements

Commerce is presently reimbursed by the Utilities and Transportation Commission (where EFSEC is located) for the costs of the designee of the director on the council. The reduction in expenditures in the other objects (salaries and benefits, goods and other services, and travel), will be offset by a corresponding change of \$19,371 in interagency agreements.

FY14-19: \$19,371 each fiscal year

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Total estimated expenditure impact of the bill:

FY14-19: \$0 each fiscal year

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
A-Salaries and Wages	(9,690)	(9,690)	(19,380)	(19,380)	(19,380)
B-Employee Benefits	(2,315)	(2,315)	(4,630)	(4,630)	(4,630)
E-Goods and Other Services	(4,396)	(4,396)	(8,792)	(8,792)	(8,792)
G-Travel	(2,970)	(2,970)	(5,940)	(5,940)	(5,940)
S-Interagency Reimbursements	19,371	19,371	38,742	38,742	38,742
Total:	\$0	\$0	\$0	\$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 2014	FY 2015	2013-15	2015-17	2017-19
Energy Facility Site Coordinator	96,900	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
Various Administrative Services	55,478	0.0	0.0	0.0	0.0	0.0
Total FTE's	152,378	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)

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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

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 215-Utilities and Transportation Comm
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Part I: Estimates

☒ No Fiscal Impact

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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Melissa Hamilton	Phone: 360 664-1158	Date: 03/07/2013
Agency Approval: Sondra Walsh	Phone: 360-664-1286	Date: 03/07/2013
OFM Review: Jim Albert	Phone: (360) 902-0419	Date: 03/07/2013

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.

As a whole, Second Substitute HB 1374 amends several sections of law governing the Energy Facility Site Evaluation Council (EFSEC or Council) in RCW 80.50.

Section 2 (12) (a) through (g) removes or modifies the size and capacity limitations on a variety of “eligible” energy resources subject to EFSEC jurisdiction. Section 2 also modifies the definitions of “thermal power plant,” “transmission pipeline facility,” “natural gas, synthetic fuel gas, or liquefied petroleum gas transmission pipelines,” and adds definitions of “electric utility,” and “proven energy technology.” Eliminating size and capacity restrictions in Section 2 could potentially bring into EFSEC jurisdiction many smaller energy facilities sited each year.

Section 7 (1) (a) expands the range of eligible energy resources that can “opt-out” of EFSEC siting requirements. The changes in Section 7 potentially would decrease the number of applicants requesting siting approval from EFSEC. The effect of this section is to allow applicants to go to local governments for siting permits.

Reading the provisions of Section 2 and Section 7 together, there likely will be no change in the number of permit applications. The provisions of Section 2, on its own, would more than double the EFSEC siting responsibilities while the provisions of Section 7, on its own, would most likely eliminate any siting responsibility within EFSEC.

The amendments in Section 3 (3) change the membership of the Council. However, these change should have no fiscal impact on the Council or member agencies as member expenses are reimbursed through fees paid by applicants to cover the cost of an application. The agencies being removed from The Council are: Department of Ecology, Department of Fish and Wildlife, Department of Commerce, Utilities and Transportation Commission, and the Department of Natural Resources. The agencies added as members are: two members of the Growth Management Hearings Board, and the director, administrator or designee from the Departments of Fish and Wildlife and Ecology. A member of the Shorelines Hearings or the Forest Practices Board may be invited by the Chair to be a temporary substitute for one member of the Growth Management Hearings Board.

Sections 4 (14) and (15) give the Council authority to develop minimum siting standards for cities and counties related to siting, construction, operation, and decommissioning of energy facilities, and to enter into interlocal agreements for issuing site certifications. Providing additional authority does not have a fiscal impact on the Council or any other agency.

In 2SHB 1374, Section 5 has been rewritten substantially to remove requirements for rulemakings not paid for by an applicant, which removes the fiscal impact of rulemakings assumed for prior versions of the bill:

- Instead of requiring the Council to adopt new standards, subsection (1) requires the Council to apply current standards in Title 463 WAC for siting, construction, operation and decommissioning of energy facilities and, for issues not addressed in these rules, to apply standards in Chapter 345 of the Oregon Administrative Rules, with some exceptions.
- Subsection (3) requires cities and counties to use the minimum standards described in Subsection (1), rather than requiring the Council to adopt rules establishing minimum siting standards for cities and counties.
- Under subsection (4), the Council must maintain a list of “proven energy technologies” and adopt standards for the

technologies on an applicant's request, with the rulemaking paid for by the applicant, rather than requiring the Council to adopt rules for a set of proven energy technologies.

- Subsection (5) provides a process for any person to petition the Council to adopt, amend, or appeal a Council rule, but provides that the person petitioning the Council must pay all costs for the rulemaking.

The provisions of Section 6 (2) require EFSEC to receive and monitor all Federal Energy Regulatory Commission (FERC) statewide-related activities and serve as a clearing house for FERC notices on activities of statewide activities. The UTC assumes that EFSEC already monitors some of these activities and that there would be little change in expenses or staff resources to implement the provisions.

The Second Substitute bill also modifies the provisions in Section 9 (1) (e) to require that if proposed facilities meet siting requirements under Section 5, the environmental process must be completed within six months, and that facilities that do not meet Section 5 siting requirements must have a completed environmental review process within twelve months, unless the Council determines that the complexity of the proposed facility warrants a longer review period. Further, Subsection 1(g) modifies the requirements for the Council in conducting an environmental impact statement, condensing a number of subsections into one. None of these changes impose a fiscal impact, as the costs of the Council's review of an application are paid for by application fees.

The following sections of the bill have no fiscal or workload impact on EFSEC:

Section 3 (2) (b) changes the distribution of duties and responsibilities between direct EFSEC staff and UTC administrative staff, but has no impact on the combined UTC and EFSEC budget or overall workload.

Section 4 (3) removes the requirement that rules of practice be pursuant to the provisions of the Administrative Procedure Act, RCW 34.05. This may reduce the complexities of some of the hearings in application proceedings; however it does not reduce the number of required hearings.

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

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.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 303-Department of Health
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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Jodine Sorrell	Phone: 360-236-4532	Date: 03/04/2013
Agency Approval: Kristin Bettridge	Phone: (360) 236-4530	Date: 03/04/2013
OFM Review: Ryan Black	Phone: 360-902-0417	Date: 03/07/2013

Request # 13-133-1

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 limits the Department of Health’s (DOH) role on the Energy Facility Site Evaluation Council to only when the council considers siting a nuclear power plant. This role is consistent with DOH’s past discretionary participation on the council; therefore, there is no fiscal impact to 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.

Part III: Expenditure Detail

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.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 461-Department of Ecology
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.5	0.1	0.3	0.1	0.1
Account					
General Fund-Private/Local 001 -7	17,703	17,703	35,406	35,406	35,406
Air Operating Permit Account-State 219-1	37,662	0	37,662	0	0
Total \$	55,365	17,703	73,068	35,406	35,406

Estimated Capital Budget Impact:

NONE

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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Allen Robbins	Phone: 360-407-7099	Date: 03/05/2013
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 03/05/2013
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 03/05/2013

Request # 13-123-1

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.

Compared to SHB 1374, 2SHB 1374 changes Section 2(21)(b) to modify the definition of transmission pipeline facility and changes Section 5 standards for EFSEC siting of energy facilities. These changes do not change the fiscal impact to Ecology.

Under current law, Ecology has a representative on the Energy Facility Site Evaluation Council (EFSEC or the Council). EFSEC provides a one-stop siting process for major energy facilities in Washington. EFSEC currently contracts with Ecology and other agencies for the occasional work needed to permit projects under the Council's authority. Further, WAC 173-400 and 173-407 related to air pollution and carbon dioxide currently restrict EFSEC-sized facilities.

Section 2 of this bill would broaden the definition of facilities. It would add pipelines carrying federally listed hazardous waste to the energy facility projects under EFSEC authority.

Section 3 of this bill would change the make-up of the Council by eliminating representation from some agencies, keeping Ecology and the Department of Fish and Wildlife, and adding two members of the Growth Management Hearing Board. For projects impacting shorelines or forest resources, a member of the Shoreline Hearings Board or the Department of Natural Resources would be invited by the chair of the Council. For nuclear power plant proposals, the Department of Health would appoint a designee to serve as a voting member of the Council. Local government representation would be unchanged.

Section 7 would require all siting activities of EFSEC to be an opt-in process at the option of the applicant. The provision excludes from the opt-in process any proposed nuclear power facility and any proposed transmission pipeline facility that may be located in more than one local government jurisdiction. This chapter would not apply to any energy facility already approved or denied by local governments.

Section 19 would add a new section to RCW 43.21C that would authorize EFSEC to establish timelines related to the siting of energy facilities under RCW 80.50 that are shorter than those required by this chapter. This section would not impact the timeline for water quality, forest practices or any other state permits. EFSEC pre-empts all state and local actions. It issues a site certification agreement (SCA) in lieu of individual permits. EFSEC can set different timelines on the issuance of SCA based on the type of project.

Sections 4-6, Sections 8-18, and Section 20 would have no impact to Ecology.

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.

Section 3 would have an ongoing impact to Ecology. In addition to the 12 council meetings per year, this section would provide council members with additional time each year to consider complex site applications. It is estimated that one complex site application would require 35 hours per month for four months, and one less complex site application would

require 20 hours per month for three months (0.1 FTE of a WMS Band 3). It is estimated that cash receipts from GF-P/L would be \$17,703 per year.

Section 7 would have indeterminate cash receipts. We assume that expenditures related to providing permits to applicants that opt-out of the EFSEC permit process would be paid for by the applicant. However, we cannot project how many proposed energy facilities would opt out and what the costs would be. Based on the few applicants that have needed these permits when they went through the EFSEC process in the past, we assume that the revenue would be less than \$50,000 per year.

Currently, applicants required to go through the EFSEC permit process pay Ecology's related permit costs to EFSEC. The revenue to EFSEC is brought in as GF-P/L, then EFSEC directs the revenue to Ecology via an interagency agreement. If applicants opt-out of the EFSEC process, they would pay Ecology directly for the cost of providing permits. This would result in a shift of revenue for Ecology from an interagency agreement with EFSEC to the appropriate dedicated account that would be associated with the applicant's permit. The costs related to providing permits to applicants would not change.

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 3 would have an ongoing impact to Ecology and would be funded by GF-P/L. In addition to the 12 meetings (an average of two hours long) that constitute the “monthly” meetings in the current law, board members on the Council would each have the following number of days each year to consider applications:

- One complex site application that would require 35 hours per month for four months, and one less complex site application that would require 20 hours per month for three months (0.1 FTE of a WMS Band 3).
- Discussions with and by the Council regarding the draft rules and final proposed rules would be infrequent and focused on policy issues, and would be handled through the regular monthly meetings. The rules hearing would also be handled during the regular meeting. The assumption is that the rulemaking discussions would not increase the average length of the meetings.

Section 7 would allow most applicants for energy facilities that were previously subject to the Council’s authority to opt out of the Council’s one-stop permitting. If an applicant opts out, air quality permits for an energy generation facility would be handled by either the local air agency with jurisdiction or, if the facility is large enough to warrant a Prevention of Significant Deterioration (PSD) permit, Ecology would process the PSD permit.

The fiscal impact for providing these permits is indeterminate because we cannot project how many proposed energy facilities would pursue permitting under this alternative scenario and what the cost would be. We assume that expenditures for the work to do any permitting and for AGO services would be paid for by the applicant. Based on the few applicants that have needed these permits when they went through the EFSEC process in the past, we assume that the cost would be less than \$50,000 per year.

Section 7 would also result in a one-time cost in FY14 to Ecology’s Air Quality program for rulemaking. WAC 173-400 and 173-407 would need to be modified to remove restrictions for EFSEC-sized facilities. An Environmental Planner 3 (0.30 FTE) would be the primary person working on the rule change from July 2013 through December 2013.

Economic analysis and AAG support would not be required for this rulemaking. These would be new costs that would require funding because these are activities that aren't currently included in the Air Quality program rule development plan and budget. We assume the most likely fund sources affected would be the Air Operating Permit Account.

Notes on costs by object:

Salary estimates are current actual rates plus three percent to restore TSR, at the agency average new hire step H.

Benefits are the agency average of 32.0% of salaries.

Goods and Services are the agency average of \$5,127 per direct program FTE.

Travel is the agency average of \$1,156 per direct program FTE.

Equipment is the agency average of \$809 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 35.1% of direct program salaries and benefits. Administration program FTEs are not included because, at 0.15 FTE per direct program FTE, there would be less than 0.01 FTE. Agency Administrative Overhead is shown as object 9.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.5	0.1	0.3	0.1	0.1
A-Salaries and Wages	29,455	9,529	38,984	19,058	19,058
B-Employee Benefits	9,426	3,049	12,475	6,098	6,098
C-Professional Service Contracts					
E-Goods and Other Services	2,051	513	2,564	1,026	1,026
G-Travel	462	116	578	232	232
J-Capital Outlays	324	81	405	162	162
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Administrative Overhead	13,647	4,415	18,062	8,830	8,830
Total:	\$55,365	\$17,703	\$73,068	\$35,406	\$35,406

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 2014	FY 2015	2013-15	2015-17	2017-19
ENVIRONMENTAL PLANNER 3	66,420	0.3		0.2		
FISCAL ANALYST 2		0.1	0.0	0.0	0.0	0.0
WMS BAND 3	95,290	0.1	0.1	0.1	0.1	0.1
Total FTE's	161,710	0.5	0.1	0.3	0.1	0.1

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.

Section 7 would result in a one-time cost to Ecology’s Air Quality program for rulemaking. WAC 173-400 and 173-407 would need to be modified to remove restrictions for EFSEC-sized facilities.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 468-Environmental & Land Use Hearings
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2014	FY 2015	2013-15	2015-17	2017-19
General Fund-Private/Local 001-7	60,000	60,000	120,000	120,000	120,000
Total \$	60,000	60,000	120,000	120,000	120,000

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	14,054	14,054	28,108	28,108	28,108
General Fund-Private/Local 001-7	60,000	60,000	120,000	120,000	120,000
Total \$	74,054	74,054	148,108	148,108	148,108

Estimated Capital Budget Impact:

NONE

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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Paulette Yorke	Phone: 360-664-9171	Date: 03/06/2013
Agency Approval: Nina Carter	Phone: 360-664-9173	Date: 03/06/2013
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 03/06/2013

Request # -2

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.

Changes to Section 5 clarify standards to be used by the Council. These changes to Section 5 do not impact GMHB workload.

This bill changes the composition of the Energy Facility Site Evaluation Council (EFSEC) and the scope of projects that may opt-in for review before EFSEC, among many other provisions. The new composition will include some members from two of the quasi-judicial Boards that exist within the Environmental and Land Use Hearings Office (ELUHO)-- the Growth Management Hearings Board (GMHB) and, where the proposed energy facility may impact the shorelines, the Shorelines Hearings Board (SHB). This fiscal note relies on assumptions made by the Utilities and Transportation Commission (UTC). UTC assumes EFSEC Council members will attend 12 monthly meetings each year, which will also serve as the rule-making meetings, and that there will be two site applications per year, one complex and one less complex. The complex application would require Council members to provide 35 hours per month for four months. The less complex application would require Council members to provide 20 hours per month over three months. The fiscal note assumes that two GMHB members will attend all monthly meetings, and that one SHB member will attend one-third of the monthly meetings, as shoreline matters will likely be implicated part of the time. The fiscal note also assumes that one GMHB members and one SHB member will participate in complex site applications, which are most likely to involve shoreline matters, and two GMHB members will participate in review of one less complex site application each year. The fiscal note assumes that all costs incurred by ELUHO will be reimbursed by the UTC.

Section 3 (3)(a)(i) states EFSEC will include two GMHB members in addition to other membership. For project applications, two GMHB members will sit on EFSEC. By statute, the GMHB consists of seven (7) full-time members, appointed by the Governor. Because the number of Board members is set in statute, the GMHB cannot increase the the number of Board members available to handle additional work. However, the GMHB currently has the capacity to take on the increased workload of EFSEC, as the seventh board member position is fully funded for the 2013-15 biennium, but has been held vacant due to workload considerations and budget constraints. It would be necessary for the Governor to appoint this seventh GMHB position, at least on a part-time basis, to meet the EFSEC demand and for the GMHB to continue meet current workload and statutory deadlines. As the GMHB members work from their homes in Bellingham, Seattle, Yakima, Wenatchee and Olympia, with an administrative office in Olympia, participation in EFSEC will require additional travel by some GMHB members.

Section 3(3)(b) allows one of the two GMHB members to be replaced by a SHB member if the proposed energy facility may impact a shoreline area. Like the GMHB, the SHB is a quasi-judicial board whose membership is established by statute, and cannot be changed to accept additional work load. The SHB is comprised of the three full-time members of the Pollution Control Hearings Board (PCHB), and selected part-time representatives of the counties and cities (who are either full time employees and/or retirees of county or city positions) and a DNR representative. These part-time representatives on the SHB have limited time to offer to other SHB-related responsibilities. This fiscal note therefore assumes that one of the full-time SHB members (also a member of the PCHB), based in Olympia, will participate in the EFSEC process, where SHB participation is requested. Assuming participation in one complex proposed energy facility application each year, and limited participation in monthly meetings, there will be a fiscal impact on the SHB and a small reduction in availability of a Board member to address appeals before the SHB and the PCHB. This impact can be

addressed by an increase in the funding for an Administrative Appeals Judge (AAJ), which supports the SHB and PCHB. This will be necessary to ensure that the SHB and PCHB continue to meet statutory deadlines for issuance of decisions.

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 fiscal note assumes that all costs incurred by ELUHO will be reimbursed by the UTC. Revenue amounts reflect expenditures expected to be paid for from site applicant revenue.

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.

It is assumed that two GMHB members will attend monthly board meetings in Olympia on an ongoing basis to develop new standards and rules called for by the bill and to tend to regular business of the council. It is assumed one SHB member will attend monthly meetings one-third of the time to address shoreline related matters. We further assume half of the time at monthly board meetings will be spent on adopting standards and administrative codes (paid for by GF-S) and half of the time will be spent on regular business (ie.reviewing status of existing EFSEC project) paid for by GF-P/L. Because GMHB members work from state-wide locations, we assume travel costs from one Eastern Washington, and one Western Washington locale. We assume one full time SHB member, residing in Olympia will participate in some EFSEC monthly meetings and in complex site applications, and that Board member's time will be backfilled by an AAJ. Below is an estimate of the workload required by this bill.

MONTHLY MEETINGS OF EFSEC:

Estimated staff time for Monthly Meetings:

Travel/Prep Time = 8 hours x 2 growth management board members x 12 meetings per year = 192 hours per year (estimated cost= \$44.31 per hour plus benefits of \$11.34 per hour = \$10,685).

Meeting Time = 8 hours x 2 growth management board members x 12 meetings per year = 192 hours per year (estimated cost = \$44.31 per hour plus benefits of \$11.34 per hour = \$10,685).

Backfill Costs for SHB= 8 hours x 1 Administrative Law Judge x 4 meetings per year = 32 hours (estimated cost = \$42.02 per hour plus benefits of \$6.41 per hour = \$1,550)

Total staff costs for Monthly Meetings: \$22,921 and .2 FTE

Estimated travel costs for Monthly Meetings:

Mileage - Wenatchee to Olympia - 378 round trip miles at .565/mile = \$214

Per Diem - Olympia vicinity - two days at \$61/day for one board member = \$122.00

Lodging - Olympia vicinity - 1 night at \$88 + 10% tax for one board member = \$97.00

Total travel cost per monthly meeting = \$432 times 12 meetings per year = \$5,188

Total costs for monthly meetings per year: \$28,108 plus .2 FTE NOTE: All costs for EFSEC monthly meetings are split 50/50 between GF-S and GF-P/L.

Therefore, the annual costs are split as follows:

Half of costs paid by GF-S are to set standards and adopt rules = \$14,054 and .1 FTE

Half of costs paid by GF-P/L are from applicant fees to review existing projects = \$14,054 and .1 FTE

ELUHO currently has funding and FTE in the '13-'15 biennial budget to cover the existing, but vacant GMHB board member position, if the Governor fills the position. The agency would need funding for the increased travel costs (\$5,188) and the AAJ costs to backfill for the SHB member working with EFSEC (\$1,550). The FTE associated with the monthly meetings is estimated at .18 FTE for the GMHB members and .02 FTE for the AAJ.

PUBLIC HEARING COSTS ON SITE APPLICATIONS: (All costs for applications are paid by applicants from GF-P/L)

UTC estimated several hearings for one complex site application would require 35 hours per month for four months. They also estimated a few hearings for a less complex site evaluation would require 20 hours per month for three months. It is assumed GMHB board members will sit on one of each type of hearing per year. It is assumed that one GMHB member and one SHB member will participate in one complex hearing each year, as shoreline issues would make the matter more complex. Two GMHB members would sit on each less complex hearing each year. Because of the regional locale of GMHB members, we again assume travel to Eastern Washington for one SHB board member on complex applications, and travel for one GMHB member on less complex applications.

COMPLEX SITE APPLICATION(S)

1 Complex Site Application = 35 hours per month for four months for one growth management board member (estimated cost at \$55.65/hr x 35 hours x 4 months x 1 board members = \$7,791). It is assumed one complex case per year would include a Shorelines Hearing Board member in place of a Growth Management Hearings Board member. Backfill costs for SHB = 35 hours per month for 4 months x 1 administrative law judge (estimated cost = 140 hours x \$48.43/hour = \$6,780).

Board member time to travel for Complex Application = 8 hours per month for 1 growth management board members x 4 trips per year = \$1,781

Backfill for staff time to travel for Complex Application = 8 hours per month x 1 administrative law judge x 4 trips = \$1,550

Complex Application Travel

Mileage between Olympia and Richland = 472 round trip miles at .565/mile x 1 growth management board members x 4 trips = \$1,067

Mileage = Olympia to Richland - 472 round trip miles at .565/mile x 1 shorelines board member x 4 trip = \$1,067

Per Diem = Richland vicinity - 5 days at \$46 per day for 1 growth management board members x 4 trips = \$920

Per Diem = Richland vicinity - 5 days at \$46 per day for 1 shorelines board member x 4 trip = \$920

Lodging = Richland vicinity - 4 nights at \$93+10% tax for 1 growth management board members x 4 trips = \$1,637

Lodging = Richland vicinity - 4 nights at \$93+10% tax for 1 shorelines board member x 4 trip = \$1,637

LESS COMPLEX SITE APPLICATION(S)

1 Less Complex Site Application = 20 hours per month for 3 months for 2 growth management board members
(estimated cost at \$55.65/hr x 20 hours x 3 months x 2 board members = \$6,678)

Staff Time to Travel for Less Complex Application = 8 hours per month for 2 growth management board members x 3 trips per year = \$2,671

Less Complex Application Travel

Mileage between Olympia and Richland = 472 round trip miles at .565/mile x 2 growth management board members x 3 trips = \$1,600

Lodging = Richland vicinity - 2 night at \$93+10% tax for 2 growth management board members x 3 trips = \$1,228

Per Diem = Richland vicinity - 3 days at \$46 per day for 2 growth management board members x 3 trips = \$828

TOTALS--ALL SITE APPLICATION COSTS

Total staff costs for Hearings (incl. staff travel time): \$35,043 plus .25 FTE

Travel Costs for Hearings = \$10,903

Total yearly public hearing costs: \$45,946 PLUS .25 FTE

ELUHO currently has funding and FTE in the '13-'15 biennial budget to cover the existing but vacant GMHB board member position, if the Governor fills the position. The agency would need funding for the increased travel costs (\$10,903) and the AAJ costs to backfill for the SHB member working with the EFSEC (\$8,330). The FTE associated with the monthly meetings is estimated at .16 FTE for the growth management board member and .08 FTE for the AAJ.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	46,856	46,856	93,712	93,712	93,712
B-Employee Benefits	11,107	11,107	22,214	22,214	22,214
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel	16,091	16,091	32,182	32,182	32,182
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$74,054	\$74,054	\$148,108	\$148,108	\$148,108

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 2014	FY 2015	2013-15	2015-17	2017-19
Administrative Appeals Judge	87,740	0.1	0.1	0.1	0.1	0.1
Growth Management Hearings Board	92,520	0.4	0.4	0.4	0.4	0.4
Member						
Total FTE's	180,260	0.5	0.5	0.5	0.5	0.5

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.

See Utilities and Transportation Fiscal Note.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 477-Department of Fish and Wildlife
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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: Danielle Cruver	Phone: 360-786-7157	Date: 03/02/2013
Agency Preparation: Lori Peterson	Phone: 360-902-8404	Date: 03/06/2013
Agency Approval: Les Myhre	Phone: 360-902-2196	Date: 03/06/2013
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 03/06/2013

Request # 13-FN080-1

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.

No fiscal impact to WDFW for this legislation.

Section 3 (3)(a) changes Energy Facility Site Evaluation Council (EFSEC) membership. WDFW remains a member; the Department assumes that the Council workload will remain equivalent to the current workload.

Sections 5 and 8 through 10 assign new work to EFSEC, setting standards for facility siting and processing preliminary applications. None of these sections require new activities on the part of WDFW.

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

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.

Individual State Agency Fiscal Note

Bill Number: 1374 2S HB	Title: Energy facil site eval encl	Agency: 490-Department of Natural Resources
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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.

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Agency Approval: Aaron Everett	Phone: (360)902-1384	Date: 03/07/2013
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 03/07/2013

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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 3: Removes the current Department of Natural Resources (DNR) mandatory representative from the Energy Facility Site Evaluation Council (EFSEC) and replaces that position with the ability for the Council Chair to invite a member of the shorelines hearings board for proposals that involve shorelines of the state and a designee from DNR for proposals that involve forest land to participate as a council member in a site certification of a proposed energy facility when a proposal impacts forest resources in the state of Washington.

Currently, costs incurred from being part of the council, preparation for council meetings, time spent by program staff reviewing or advising EFSEC staff on energy facility siting related to areas where DNR has regulatory responsibility, with the exception of a State Environmental Policy Act review, are reimbursable by EFSEC. In addition, timelines are now more flexible; therefore DNR is assuming no fiscal impact with this legislation.

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

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.